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No. 186

House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. MITCHELL).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
November 27, 2018.

I hereby appoint the Honorable PAUL MITCHELL to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 8, 2018, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 1:50 p.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

IN CELEBRATION OF REAL CHRISTMAS TREES

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, I rise to honor this year's National Christmas Tree Contest winner who hails from my home county of Avery in North Carolina's Fifth District, Mr. Larry Smith.

This year, Mr. Smith won the national tree contest hosted by the National Christmas Tree Association, whose members have presented the of-

ficial White House Christmas tree for display in the Blue Room since 1966.

Growers must first win their local competitions in order to qualify for the association's national contest. At the national competition, growers, industry experts, and consumers vote to choose the real Christmas tree grower who will provide the official White House Christmas tree.

Mr. Speaker, I am proud to represent this year's winner and was delighted to join Mr. Smith, his family and friends in presenting the First Family with its Fraser fir Christmas tree last week.

As a former Christmas tree grower myself, I can attest to the importance of recognizing this often overlooked, yet highly significant, farming industry. Christmas trees have held a historic place in American family tradition since 1850. Long before artificial trees were around, real trees brought Christmas spirit into homes with their evergreen and fragrant branches during the season.

Just as importantly, Christmas trees play a vital role in the North Carolina high country's economy by providing jobs and livelihoods for thousands of North Carolinians. The Fifth District is one of the largest producers of live-cut Christmas trees in the country, producing over 20 percent of the real Christmas trees in the United States.

Representing over 95 percent of all species grown in the State, the North Carolina Fraser fir Christmas tree is the most popular Christmas tree in North America. It is shipped to every State in the U.S., as well as the Caribbean islands, Mexico, Canada, Bermuda, Japan, and other points all over the world.

Congratulations once again to Mr. Smith, and thanks to Christmas tree growers across the country for contributing to our economy and providing the joy of having a real Christmas tree to families worldwide.

ASSOCIATION HEALTH PLANS

Ms. FOXX. Mr. Speaker, I rise today to share some good news with the House. Over a year and a half ago, we passed the Small Business Health Fairness Act.

Small businesses were hit hard by flawed mandates, soaring costs, and limited choices under ObamaCare. The Education and the Workforce Committee worked hard to produce the Small Business Health Fairness Act, which expanded healthcare options and lowered costs for working families by encouraging small businesses to come together through association health plans and negotiate for lower costs on behalf of their employees.

In October of last year, President Trump issued an executive order that built on the solutions in that bill, directing the Department of Labor to remove barriers and make association health plans a viable option for businesses and their employees.

Well, it is working. In my home State of North Carolina, individuals in the hospitality industry will soon have access to a new association health plan that provides affordable, comprehensive coverage. Nearly half a million workers in North Carolina alone will have options they didn't have before thanks to association health plans.

In Oklahoma, chambers of commerce at the State and local level are working with some of the smallest businesses around to form association health plans and allow these talented individuals to keep doing what they really want to do, innovating and creating jobs only they will be able to create.

Even farmers in Minnesota and Nebraska are finding ways to come together for better bargaining power that puts people and their healthcare choices first.

Association health plans put people in charge. They empower small businesses to offer the same benefits that

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



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large companies can provide, and they allow employees to choose coverage options that work best for them.

At the Education and the Workforce Committee, we have been proud to do our part to bring about this sustainable healthcare solution for millions of Americans. I welcome the news.

RECOGNIZING PREMATURITY AWARENESS MONTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kansas (Mr. MARSHALL) for 5 minutes.

Mr. MARSHALL. Mr. Speaker, November is Prematurity Awareness Month, and as the number of preterm births continues to rise in the United States, it is important to acknowledge this serious issue.

In my own experience as an obstetrician having delivered over 5,000 babies, I have seen firsthand the seriousness of early birth. Premature birth is still the number one cause of infant mortality in the United States and around the world. Advancements in detection and care for infants born early have not made the same strides that other areas of the medical field have.

The premature birth rate in Kansas is right below the national average of 9.93, meaning that approximately 1 in every 10 babies is born premature. In the coming weeks, Congress has the opportunity to act and pass the PREEMIE Reauthorization Act of 2018 and help those who cannot yet help themselves.

RECOGNIZING KANSAS GUARDSMEN OVERSEAS

Mr. MARSHALL. Mr. Speaker, this past holiday weekend, I had the pleasure, the opportunity, to travel to the Middle East and to the Horn of Africa. Specifically, I got to visit with some 700 Kansas National Guardsmen from the 2nd 137th Combined Arms Battalion and Battery C, 161st Field Artillery. These guardsmen have been deployed since April in support of Operation Enduring Freedom Spartan Shield.

I am often asked what was the purpose of my trip. Why do Congressmen do these trips?

First of all, I think it is important that, as a Congressman, I bring these troops a message of hope and thanks and let them know personally that we do care and are grateful for their service and the sacrifices they are making for this country.

Next, my goal was to check on the mental and physical well-being of our troops. Despite talking to hundreds of our soldiers, I cannot get one of them to register one complaint. Specifically, I thought their mental health was outstanding, that they were all in good spirits and, indeed, had great hope. Physically, their nutrition appeared to be well attended to. Their medical and dental needs were well attended to as well.

My one concern, perhaps, would be the housing. And though no soldier complained about housing, when you are there for a year at a time, I do

think we could supply our soldiers with better housing.

Today, we are reminded of the dangers of serving in our military as we lost three soldiers to a roadside bomb in Afghanistan. Certainly, my sympathy goes out to the families. I know the words that I can express will never be enough, but I would say this: Today we are also reminded once again that freedom is not free.

HONORING THE LIFE OF MAJOR BRENT RUSSELL TAYLOR

The SPEAKER pro tempore. The Chair recognizes the gentleman from Utah (Mr. BISHOP) for 5 minutes.

Mr. BISHOP of Utah. Mr. Speaker, Major Brent Russell Taylor is one of six brothers to each wear the uniform of the United States Army.

While training Afghan security forces in support of Operation Freedom's Sentinel, Major Taylor was killed by an apparent insider attack on November 3 in Kabul province while in the final months of his deployment. He is survived by his wife, Jennie, and seven children: Megan, Lincoln, Alex, Jacob, Ellie, Jonathan, and Caroline. In Utah, we mourn with the family of Major Taylor and grieve his loss and honor his sacrifice.

As Major Taylor and his brothers passed through Basic Combat Training, they learned the seven Army values in great detail. Those values are loyalty, duty, respect, selfless service, honor, integrity, and personal courage, and Major Brent Taylor lived these values.

First, loyalty: Major Taylor swore to bear true faith and allegiance to the Constitution of the United States and support and defend our Nation's guiding documents against all enemies. He demonstrated his loyalty to this oath time and time again.

Duty: Major Taylor earned a Bronze Star for his outstanding dedication to duty during combat operations in Iraq. The Army says doing your duty means more than carrying out your assigned tasks. Major Taylor's military service record shows he employed this guidance to the fullest.

So, too, does his life outside the military, because Major Taylor was not only Major Taylor, he was also Mayor Taylor. His community and neighbors so entrusted him to lead and provide that they elected him the mayor of North Ogden City in Utah.

In that role, he did much more than carry out his assigned tasks. He worked to beautify and improve the city and to create a community that was welcoming to newcomers; and in the predawn morning of his last Christmas on Earth, Mayor Taylor ventured out into the cold to oversee the snowplows and salt trucks as they cleared the roads and made his city safe.

Respect: Major Taylor not only enjoyed the respect of his family, community, and fellow servicemembers, but his praises came from across the globe. In a letter from Afghanistan to

Mrs. Taylor following her husband's death, an Afghan aviator said: "Your husband taught me to . . . treat my children as treasured gifts, to be a better father, to be a better husband, and to be a better man."

A man does not receive that level of praise without first showing his own grand measure of respect.

Selfless service: As a high school senior in Chandler, Arizona, Brent delivered the honor speech at graduation, and his instruction to the audience was: "Go out. Be happy. Find peace and make a positive difference in the world."

Major Taylor left his family and American soil on four deployments to serve and "make a positive difference in the world." In that same honor speech, he gave the order to "stick with it to the end." He, himself, did just that.

Honor: Major Taylor honored his faith, his family, his community, and his country throughout his short life. Brent's social media postings are replete with photos of his children and family. They show images of love and service and patriotism, qualities of a man, a husband, and a father who honors his family and country.

In his last Facebook post, Brent implored that we all remember: "We have far more as Americans that unites us than divides us." And he ended the post with the words, "God Bless America."

Integrity: The Army says that integrity is a quality you develop by adhering to moral principles, and the more choices you make based on integrity, the more this highly prized value will affect your relationships with family and friends.

The days since the sad passing of Major Taylor have been filled with an outpouring of love and grief expressed by those who knew Brent. His integrity left an impression, and his integrity affected his relationships.

Finally, personal courage: In September of 2007, Major Taylor was commanding a convoy in Iraq when he was hit by an insurgent IED. His vehicle was struck by shrapnel, asphalt, and concrete debris. For the wounds received in action, Major Taylor was awarded the Purple Heart, and he would go on to deploy twice more.

Brent Taylor stood as an example of personal courage. He lived the Army Values.

In April of this year, the Department of Veterans Affairs opened a facility in North Ogden City. It is a place where veterans and their families can go to receive counseling and support. It is a place located in the heart of Brent Taylor's hometown.

As a small gesture to his service and his sacrifice, I have introduced a bill to name that VA facility the "Major Brent Taylor Vet Center Outstation."

The naming of a building will never repay the debt our Nation owes Major Taylor or his family, but it can stand as a humble reminder of the citizen soldier who lost his life in the service of others.

□ 1215

BORDER SECURITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. ROTHFUS) for 5 minutes.

Mr. ROTHFUS. Mr. Speaker, in the coming days, this House will debate the importance of securing our border with Mexico. This should not be a controversial debate. Every nation has the right to secure its borders. There are, indeed, differences among nations from the type of government to the freedoms and liberties a country's people enjoy, and borders define where these begin and end.

Borders also allow countries to determine who and, as important, what is allowed to enter into respective nations. It is this latter point, Mr. Speaker, given the historical context in which the United States and Mexico find themselves, that impels not only the United States but also Mexico to ensure that we have a secure border. There are certain products, namely dangerous narcotics, being made in and shipped through Mexico that we do not want in the United States, and there are items such as illicit cash from drug sales that Mexico does not want imported from the United States.

Yes, we are concerned about knowing the identity of individuals coming into our country, and we need to be vetting each individual seeking admission to the United States. But it is the illicit drug trade, which is responsible for taking tens of thousands of lives on both sides of the border, that makes beyond urgent the securing of the U.S.-Mexico border.

Ninety percent of the heroin used in our country comes from Mexico. Fentanyl, methamphetamines, cocaine, and marijuana also flow across the border in staggering amounts.

These poisons destroy lives and result in billions of dollars of illicit cash flowing to transnational criminal organizations on the Mexican side of the border. These organizations are described best in one word: evil.

Over the last decade, Mexican drug cartels have been responsible for deaths of thousands of Mexicans, and their exports have killed thousands of Americans. Mexico prosecutes relatively few of the murders that occur on its soil.

The cartels kill with impunity. They kill Catholic priests. They kill journalists. They kill students. They kill politicians. They have killed U.S. agents. And they kill each other. The rule of law has been replaced in many Mexican states with the law of violence, revenge, and brutal force.

Headlines over the past 2 years tell the story: National Catholic Register, May 22, 2018: "Why Is Mexico the Deadliest Place to Be a Priest?"

The New York Times, December 21, 2017: "Most Lethal to Journalists: 1. War Zones 2. Mexico."

CNN, July 2, 2018: "Mexico goes to the polls . . . 132 politicians have been killed since campaigning began."

The Wall Street Journal, November 14, 2018: "'It's a Crisis of Civilization in Mexico.' 250,000 Dead. 37,400 Missing."

Progress against the cartels has been too slow, but there have been some encouraging developments. The trial of the alleged head of the Sinaloa cartel, Joaquin "El Chapo" Guzman, is underway in New York. Within the last month, the Department of Justice indicted individuals affiliated with the Jalisco Nueva Generacion cartel, but those individuals remain at large.

The U.S. Drug Enforcement Administration also recently announced it was joining with State and local officials in Chicago specifically to go after Mexican cartels, which have played a role in the violence that plagues that community, a community that is 1,500 miles from the border.

In announcing the action, the DEA said: "There is no single entity or solution that can stop the flow of dangerous illicit drugs like heroin and fentanyl into Chicago or to keep them from harming the citizens of this great city. . . . To be clear, these drugs are being produced, manufactured, and trafficked by various Mexican cartels to numerous parts of the United States and elsewhere in the world."

Yes, Mr. Speaker, the border issue does not just affect California, Arizona, New Mexico, and Texas. It affects the entire Nation, including my district in western Pennsylvania.

Our two countries have not done enough to combat the epidemic of drugs and violence. It is an epidemic that has left mothers, fathers, brothers, and sisters on both sides of the border steeped in grief.

There is no single solution to this evil. But one tool is available, and that is the force of our will. It is an act of the will to stop the transfer of drugs northbound into the United States and the transfer of illicit cash southbound into Mexico.

A secure border is a necessary prerequisite to this end. That secure border requires not only, where appropriate, physical barriers. It also requires significantly increased capacity for inspecting vehicles traveling between the United States and Mexico at our ports of entry.

More inspection lanes, more equipment, and more personnel were prescribed in the Securing America's Future Act. If we are serious about securing the border, that bill should accompany any appropriations language we pass this month.

As the 115th Congress draws to a close, let us take one more vital step to ending the drug crisis and bring peace to Mexico and communities across the United States.

Mr. Speaker, let's secure our border.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 18 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WILLIAMS) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Gracious God, we give You thanks for giving us another day.

You have blessed us with all good gifts, and this past week, with thankful hearts, we gathered with family and loved ones throughout this great land to celebrate our blessings together.

Bless the newly elected Members of the 116th Congress who resume their orientation on Capitol Hill. Give them calm and confidence as they prepare for a new role as servants of our Nation's citizens.

Bless the Members of the people's House who have been entrusted with the privilege to serve our Nation and all Americans in their need. Grant them to work together in respect and affection, faithful in the responsibilities they have been given.

As the end of the 115th Congress approaches, bestow upon them the gifts of wisdom and discernment, that in their actions, they will do justice, love with mercy, and walk humbly with You.

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.

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

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

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

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

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Utah (Mr. CURTIS)

come forward and lead the House in the Pledge of Allegiance.)

Mr. CURTIS 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.

AIKEN SCHOLARS ACADEMY

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

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful for the recent opening of the Aiken Scholars Academy, an academic school of excellence that offers students an engaging educational experience. It is the result of a partnership between the University of South Carolina Aiken and Aiken County Public School District.

Aiken Scholars Academy, led by Principal Martha Messick, is one of only 1,500 schools worldwide to implement the Advanced Placement Capstone diploma program. This is an innovative program that provides students the opportunity to develop skills for college success, including research, collaboration, and communication.

The curriculum was developed with feedback from higher education faculty and college admission officers. At the Aiken Scholars Academy, teachers have the flexibility to cover local, regional, national, and global topics relevant to their students, with a wide variety of themes. This provides for effective collaboration and innovation welcomed by Chancellor Sandra Jordan.

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

TEXAS RANGERS: ONE RIOT, ONE RANGER

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

Mr. POE of Texas. Mr. Speaker, they have been the focus of legend and lore, portrayed on radio shows and the silver screen.

It was this month, in 1835, the new Republic of Texas officially created a law enforcement force of three companies, 56 men each, known as the Texas Rangers. The Rangers wear a star made out of a Mexican cinco pesos coin on their western dress, with, of course, the ubiquitous cowboy hat.

Captain Bill McDonald said it best: "No man in the wrong can stand up against a fellow that's in the right and keeps on a-comin'."

They are the oldest law enforcement agency in North America with statewide jurisdiction. These Texas lawmen have always had a certain swagger and a certain awe about them.

Legendary Ranger "RIP," rest in peace, Ford said this: "They did right because it was right."

And when the Dallas mayor needed to call in the big guns to prevent an illegal prizefight, Captain McDonald answered the call. As the story is told, the mayor asked: "Where are the other rangers?"

McDonald replied: "Hell, ain't I enough? There's only one prizefight."

Texas Rangers: One riot, one ranger. And that is just the way it is.

MIRACLE MOUNTAIN

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

Mr. CURTIS. Mr. Speaker, in Utah, wildfires are disastrous events that don't just cause property damage. They can substantially disrupt the lives of families and have, unfortunately, become far too common in the West.

Last month, Mayor Ellis of Elk Ridge reached out to me with a remarkable story from his community. In September, the Bald Mountain fire threatened Elk Ridge, nearly claiming countless homes. However, instead of burning into the sea, the fire suddenly halted, stayed behind the mountain, and spared the community.

Mayor Ellis told me that after this remarkable event, many locals began to refer to the peak as "Miracle Mountain." He then asked if we could commemorate this event by naming the mountain, and I happily took up the task.

Mr. Speaker, I am proud to sponsor legislation, the Miracle Mountain Designation Act, supported by the entire Utah House delegation and Governor Herbert to name this mountain "Miracle Mountain."

Mr. Speaker, I hope this bill, once passed, will memorialize an event of great significance in this community.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4:10 p.m. today.

Accordingly (at 2 o'clock and 7 minutes p.m.), the House stood in recess.

□ 1610

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BYRNE) at 4 o'clock and 10 minutes p.m.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Mariel Ridgway, one of his secretaries.

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 ordered, or votes objected to under clause 6 of rule XX.

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

WOMEN IN AEROSPACE EDUCATION ACT

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 4254) 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 Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Women in Aerospace Education Act".

SEC. 2. ROBERT NOYCE TEACHER SCHOLARSHIP PROGRAM FELLOWSHIP OPPORTUNITIES.

(a) *IN GENERAL.*—The National Science Foundation Authorization Act of 2002 (Public Law 107-368; 42 U.S.C. 1862n et seq.) is amended—

(1) *in section 10(a)(3)(A)(iv), by inserting "including research experiences at national laboratories and NASA centers" before the semicolon; and*

(2) *in section 10A(c)(4)—*

(A) *in subparagraph (A), by striking "and" at the end;*

(B) *in subparagraph (B), by striking the period at the end and inserting "; and"; and*

(C) *by adding at the end the following:*

"(C) *providing internship opportunities for fellows, including research experiences at national laboratories and NASA Centers.*"

(b) *EFFECTIVE DATE.*—The amendments made by subsection (a) shall apply with respect to grants awarded on or after October 1, 2018.

SEC. 3. NASA INTERNSHIP AND FELLOWSHIP OPPORTUNITIES.

Not later than October 1, 2018, the Administrator of the National Aeronautics and Space Administration (in this section referred to as "NASA") shall institute a process to encourage the recruitment of qualified candidates who are women or individuals who are underrepresented in the fields of science, technology, engineering, and mathematics (STEM) and computer science for internships and fellowships at NASA with relevance to the aerospace sector and related fields.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Texas (Mr. VEASEY) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. SMITH).

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 4254, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, I support H.R. 4254, the Women in Aerospace Education Act, as amended by the Senate. I speak on behalf of the bill's sponsor, Representative STEVE KNIGHT, who could not be here this afternoon, but he has worked for more than a year to get the bill across the finish line.

H.R. 4254, directs NASA and the National Science Foundation, through the Robert Noyce Teacher Scholarship Program, to use their fellowships and internships to encourage more women to get aerospace experience while they are training to be science and mathematics teachers.

These teachers are then better equipped to educate and inspire students to pursue studies and careers in aerospace.

Twenty percent of U.S. aerospace engineers are of retirement age today. They are beginning to exit our workforce, which will create a shortfall in our national security preparedness.

Meanwhile, women represent only about one-quarter of all science, technology, engineering, and math, or STEM workers, and only about 15 percent of all aerospace engineers. We need to improve our STEM education pipeline from ensuring STEM classes are available to students at a young age to encouraging young Americans to pursue the completion of a degree in STEM fields.

Attitudes about career paths are formed at a young age. The role models and young leaders from which women learn have an enormous impact on future decisionmaking.

The Women in Aerospace Education Act directs some of the Federal Government's best teacher training programs to increase the number of women teachers who can educate students about the Nation's leading aerospace programs.

Mr. Speaker, I want to congratulate Representative STEVE KNIGHT and his cosponsors, Representative ELIZABETH ESTY, and Research and Technology Subcommittee Chairwoman BARBARA COMSTOCK for advancing this bipartisan legislation. We look forward to its being signed into law soon.

If all goes well, it will be the 15th Science, Space, and Technology Committee bill to be enacted into law this Congress, and one of 35 bills that the committee has passed in the House this year.

Mr. Speaker, I urge my colleagues to support the bill and send it to the President's desk, and I yield back the balance of my time.

Mr. VEASEY. Mr. Chair, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 4254, the Women in Aerospace Education Act. I want to thank Mr. KNIGHT

and Ms. ESTY for introducing this very important piece of legislation.

Women continue to be underrepresented in the aerospace sector. For example, a 2016 analysis revealed that over the past 15 years, women have made up, on average, just 15 percent of NASA's planetary mission science teams.

□ 1615

While there has been increasing interest in supporting women's advancement in all STEM fields, particularly on the Science, Space, and Technology Committee, the low representation of women on NASA's planetary science mission teams has remained largely unchanged. I am heartened by recent efforts at NASA to tackle the issue of diversity on its planetary science mission teams.

The 2016 New Frontiers 4 call for proposals included new language highlighting the benefits of diverse and inclusive mission teams. I was pleased to see that one of the finalists for this competition, the Dragonfly mission to Saturn's moon Titan, is led by a woman.

Additionally, one of the two missions selected in 2017 for NASA's Discovery Program, the Psyche mission to a metallic asteroid, is also led by a woman. The principal investigator of the Psyche mission, Dr. Lindy Elkins-Tanton, is now the second woman to lead a competitive planetary science mission for NASA.

Yesterday's successful landing of NASA's InSight spacecraft on the surface of Mars offers another reason to feel optimistic. The team of scientists and engineers that made the groundbreaking landing possible included 135 women, or about 25 percent of the team. To build on this progress, H.R. 4254 addresses the challenges in recruiting and retaining talented women in aerospace by directing NASA to promote internship and fellowship opportunities to women. The bill also directs NSF to include research experiences at National Laboratories and NASA centers in the Robert Noyce Teacher Scholarship Program.

Research has shown that the best teams are those in which good ideas are heard. Gender diversity on NASA's planetary science missions and in the aerospace sector more broadly will lead to more diverse questions and approaches to solutions. To get the best science, we need more women in aerospace, and H.R. 4254 will help to get us there.

Mr. Speaker, I urge my fellow Members to support H.R. 4254, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 4254.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

NATIONAL EARTHQUAKE HAZARDS REDUCTION PROGRAM REAUTHORIZATION ACT OF 2018

Mr. ROHRBACHER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1768) to reauthorize and amend the National Earthquake Hazards Reduction Program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1768

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Earthquake Hazards Reduction Program Reauthorization Act of 2018".

SEC. 2. MODIFICATION OF FINDINGS AND PURPOSE.

(a) FINDINGS.—Section 2 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701) is amended—

(1) in paragraph (1)—

(A) by inserting "and the Commonwealth of Puerto Rico," after "States";

(B) by inserting "Oregon," after "New York,"; and

(C) by inserting "Tennessee," after "South Carolina";

(2) in paragraph (2), by striking "prediction techniques and";

(3) by striking paragraph (4) and inserting the following:

"(4) A well-funded seismological research program could provide the scientific understanding needed to fully implement an effective earthquake early warning system.";

(4) in paragraphs (6) and (7), by striking "lifelines" each place it appears and inserting "lifeline infrastructure"; and

(5) by adding at the end the following:

"(12) The built environment has generally been constructed and maintained to meet the needs of the users under normal conditions. When earthquakes occur, the built environment is generally designed to prevent severe injuries or loss of human life and is not expected to remain operational or able to recover under any specified schedule.

"(13) The National Research Council published a study on reducing hazards and risks associated with earthquakes based on the goals and objectives for achieving national earthquake resilience described in the strategic plan entitled 'Strategic Plan for the National Earthquake Hazards Reduction Program'. The study and an accompanying report called for work in 18 tasks focused on research, preparedness, and mitigation and annual funding of approximately \$300,000,000 per year for 20 years.";

(b) PURPOSE.—Section 3 of such Act (42 U.S.C. 7702) is amended—

(1) in the matter preceding paragraph (1), in the first sentence, by inserting "and increase the resilience of communities" after "future earthquakes";

(2) in paragraph (1), by inserting "to individuals and the communities" after "an earthquake";

(3) in paragraph (2), by striking "in time of disaster" and inserting "to facilitate community-wide post-earthquake recovery and in times of disaster";

(4) in paragraph (3), by striking "for predicting damaging earthquakes and";

(5) in paragraph (4), by inserting "and planning" after "model building"; and

(6) in paragraph (5), by striking “reconstruction” and inserting “re-occupancy, recovery, reconstruction.”.

(c) DEFINITIONS.—

(1) LIFELINE INFRASTRUCTURE.—

(A) IN GENERAL.—Section 4(6) of such Act (42 U.S.C. 7703(6)) is amended by striking “lifelines” and inserting “lifeline infrastructure”.

(B) CONFORMING AMENDMENT.—Such Act (42 U.S.C. 7701 et seq.) is amended by striking “lifelines” each place it appears and inserting “lifeline infrastructure”.

(2) COMMUNITY RESILIENCE.—Section 4 of such Act (42 U.S.C. 7703) is amended by adding at the end the following:

“(10) The term ‘community resilience’ means the ability of a community to prepare and plan for, absorb, recover from, and more successfully adapt to adverse seismic events.”.

SEC. 3. MODIFICATION OF NATIONAL EARTHQUAKE HAZARDS REDUCTION PROGRAM.

(a) MODIFICATION OF PROGRAM ACTIVITIES.—Subsection (a)(2) of section 5 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7704) is amended—

(1) in subparagraph (B)—

(A) in clause (iii), by inserting “, community resilience,” after “seismic risk”; and

(B) by adding at the end the following:

“(iv) publishing a systematic set of maps of active faults and folds, liquefaction susceptibility, susceptibility for earthquake induced landslides, and other seismically induced hazards; and”; and

(2) in subparagraph (D), by striking “develop, operate” and all that follows through “7708,” and inserting “continue the development of the Advanced National Seismic System, including earthquake early warning capabilities”.

(b) AMENDMENTS RELATING TO INTERAGENCY COORDINATING COMMITTEE ON EARTHQUAKE HAZARDS REDUCTION.—

(1) CLARIFICATION REGARDING MEMBERSHIP.—Subparagraph (B) of subsection (a)(3) of such section is amended, in the matter preceding clause (i), by striking “The committee” and inserting “In addition to the Director, the committee”.

(2) REDUCTION IN MINIMUM FREQUENCY OF MEETINGS OF INTERAGENCY COORDINATING COMMITTEE ON EARTHQUAKE HAZARDS REDUCTION.—Subparagraph (C) of such subsection is amended by striking “not less than 3 times a year” and inserting “not less frequently than once each year”.

(3) EXPANSION OF DUTIES.—Subparagraph (D) of such subsection is amended to read as follows:

“(D) DUTIES.—

“(i) GENERAL DUTY.—The Interagency Coordinating Committee shall oversee the planning, management, and coordination of the Program.

“(ii) SPECIFIC DUTIES.—The duties of the Interagency Coordinating Committee include the following:

“(I) Developing, not later than 6 months after the date of the enactment of the National Earthquake Hazards Reduction Program Reauthorization Act of 2004 and updating periodically—

“(aa) a strategic plan that establishes goals and priorities for the Program activities described under subsection (a)(2); and

“(bb) a detailed management plan to implement such strategic plan.

“(II) Developing a coordinated interagency budget for the Program that will ensure appropriate balance among the Program activities described under subsection (a)(2), and, in accordance with the plans developed under subclause (I), submitting such budget to the Director of the Office of Management and

Budget at the time designated by the Director for agencies to submit biennial budgets.

“(III) Developing interagency memorandums of understanding with any relevant Federal agencies on data sharing and resource commitment in the event of an earthquake disaster.

“(IV) Coordinating with the Interagency Coordinating Committee on Windstorm Impact Reduction and other natural hazards coordination committees as the Director determines appropriate to share data and best practices.

“(V) Coordinating with the Administrator of the National Aeronautics and Space Administration and the Administrator of the National Oceanic and Atmospheric Administration on data sharing and resource allocation to ensure judicious use of Government resources and the free-flowing exchange of information related to earthquakes.

“(VI) Coordinating with the Secretary of Agriculture and the Secretary of the Interior on the use of public lands for earthquake monitoring and research stations, and related data collection.

“(VII) Coordinating with the Secretary of Transportation and the Secretary of Housing and Urban Development on the effects of earthquakes on transportation and housing stocks.

“(iii) ASSISTANCE FROM SECRETARY OF AGRICULTURE AND SECRETARY OF THE INTERIOR.—To the extent practicable, the Secretary of Agriculture and the Secretary of the Interior shall expedite any request for a permit to use public land under clause (ii)(VI).”.

(4) REDUCTION IN FREQUENCY OF REPORTING BY INTERAGENCY COORDINATING COMMITTEE ON EARTHQUAKE HAZARDS REDUCTION.—

(A) IN GENERAL.—Subsection (a)(4) of such section is amended—

(i) in the paragraph heading, by striking “ANNUAL” and inserting “BIENNIAL”;

(ii) by redesignating subparagraphs (A) through (F) as clauses (i) through (vi), respectively, and adjusting the indentation of the margin of such clauses, as so redesignated, two ems to the right;

(iii) in clause (v), as so redesignated, by striking “; and” and inserting a semicolon;

(iv) in clause (vi), as so redesignated, by striking the period at the end and inserting “; and”;

(v) by inserting after clause (vi), as so redesignated, the following:

“(vii) a statement regarding whether the Administrator of the Federal Emergency Management Agency has lowered or waived the cost share requirement for assistance provided under subsection (b)(2)(A)(i).”;

(vi) in the matter preceding clause (i), as so redesignated, by striking “The Interagency” and all that follows through “Senate” and inserting the following:

“(A) IN GENERAL.—Not less frequently than once every two years, the Interagency Coordinating Committee shall submit to the Committee on Commerce, Science, and Transportation, the Committee on Energy and Natural Resources, and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Science, Space, and Technology, the Committee on Energy and Commerce, the Committee on Natural Resources, and the Committee on Homeland Security of the House of Representatives a report on the Program”;

(vii) by adding at the end the following:

“(B) SUPPORT FOR PREPARATION OF REPORT.—Each head of a Program agency shall submit to the Director of the National Institute of Standards and Technology such information as the Director may request for the preparation of a report under subparagraph (A) not later than 90 days after the date on

which the Director requests such information.”.

(B) EFFECTIVE DATE.—The amendments made by subparagraph (A) shall take effect on the first day of the first fiscal year beginning after the date of the enactment of this Act.

(c) MODIFICATION OF RESPONSIBILITIES OF NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—Subsection (b) of such section is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking “and constructing,” and inserting “constructing, evaluating, and retrofitting”; and

(B) in subparagraph (D), by inserting “provide new and” after “research to”; and

(2) in paragraph (5), in the matter preceding subparagraph (A), in the first sentence, by inserting “community resilience through” after “improve”.

(d) MODIFICATION OF RESPONSIBILITIES OF FEDERAL EMERGENCY MANAGEMENT AGENCY.—Paragraph (2) of subsection (b) of such section is amended to read as follows:

“(2) DEPARTMENT OF HOMELAND SECURITY; FEDERAL EMERGENCY MANAGEMENT AGENCY.—

“(A) PROGRAM RESPONSIBILITIES.—The Administrator of the Federal Emergency Management Agency—

“(i) shall operate a program of grants and assistance to enable States to develop mitigation, preparedness, and response plans, purchase necessary instrumentation, prepare inventories and conduct seismic safety inspections of critical structures and lifeline infrastructure, update building, land use planning, and zoning codes and ordinances to enhance seismic safety, increase earthquake awareness and education, and provide assistance to multi-State groups for such purposes;

“(ii) shall support the implementation of a comprehensive earthquake education, outreach, and public awareness program, including development of materials and their wide dissemination to all appropriate audiences and support public access to locality-specific information that may assist the public in preparing for, mitigating against, responding to and recovering from earthquakes and related disasters;

“(iii) shall, in conjunction with the Director of the National Institute of Standards and Technology, other Federal agencies, and private sector groups, use research results to support the preparation, maintenance, and wide dissemination of seismic resistant design guidance and related information on building codes, standards, and practices for new and existing buildings, structures, and lifeline infrastructure, aid in the development of performance-based design guidelines and methodologies, and support model codes that are cost effective and affordable in order to promote better practices within the design and construction industry and reduce losses from earthquakes;

“(iv) shall enter into cooperative agreements or contracts with States and local jurisdictions and other Federal agencies to establish demonstration projects on earthquake hazard mitigation, to link earthquake research and mitigation efforts with emergency management programs, or to prepare educational materials for national distribution; and

“(v) shall support the Director of the National Institute of Standards and Technology in the completion of programmatic goals.

“(B) STATE ASSISTANCE PROGRAM CRITERIA.—In order to qualify for assistance under subparagraph (A)(i), a State must—

“(i) demonstrate that the assistance will result in enhanced seismic safety in the State;

“(ii) provide 25 percent of the costs of the activities for which assistance is being

given, except that the Administrator may lower or waive the cost-share requirement for these activities for a small impoverished community, as defined in section 203 of the Disaster Relief Act of 1974 (42 U.S.C. 5133(a)); and

“(iii) meet such other requirements as the Administrator shall prescribe.”.

(e) MODIFICATION OF RESPONSIBILITIES OF UNITED STATES GEOLOGICAL SURVEY.—Subsection (b)(3) of such section is amended—

(1) in the matter preceding subparagraph (A), in the first sentence—

(A) by inserting “report on significant domestic and international earthquakes and” after “Survey shall”; and

(B) by striking “predictions.” and inserting “forecasts.”;

(2) in subparagraph (C), by striking “predictions, including aftershock advisories” and inserting “alerts and early warnings”;

(3) by striking subparagraph (D) and inserting the following:

“(D) issue when necessary and feasible, and notify the Administrator of the Federal Emergency Management Agency, the Director of the National Institute of Standards and Technology, and State and local officials, an alert and an earthquake warning;”;

(4) in subparagraph (E), in the matter preceding clause (i), by striking “using” and inserting “including”;

(5) in subparagraph (I), by striking “; and” and inserting a semicolon;

(6) in subparagraph (J)—

(A) by inserting “and data” after “hazard maps”; and

(B) by striking the period at the end and inserting “; and”;

(7) by adding at the end the following:

“(K) support the Director of the National Institute of Standards and Technology in the completion of programmatic goals.”.

(f) MODIFICATION OF RESPONSIBILITIES OF NATIONAL SCIENCE FOUNDATION.—Subsection (b)(4) of such section is amended—

(1) in subparagraph (B), by inserting “, State agencies, State geological surveys,” after “consortia”;

(2) in subparagraph (C), by inserting “to support applied science in the production of a systematic series of earthquake-related geologic hazard maps, and” after “Survey”;

(3) in subparagraph (D), by striking “large-scale experimental and computational facilities of the George E. Brown Jr. Network for Earthquake Engineering Simulation and other institutions engaged in research and the implementation of the National Earthquake Hazards Reduction Program” and inserting “experimental and computational facilities”;

(4) in subparagraph (G), by striking “; and” and inserting a semicolon;

(5) in subparagraph (H), by striking the period at the end and inserting “; and”;

(6) by adding at the end the following:

“(I) support the Director of the National Institute of Standards and Technology in the completion of programmatic goals.”;

(7) by redesignating subparagraphs (A) through (I) as clauses (i) through (ix), respectively, and indenting such clauses accordingly;

(8) in the matter before clause (i), as redesignated by paragraph (7), in the first sentence, by striking “The National Science Foundation” and inserting the following:

“(A) IN GENERAL.—The National Science Foundation”;

(9) by adding at the end the following:

“(B) IDENTIFICATION OF FUNDING.—The National Science Foundation shall—

“(i) to the extent practicable, note in any notice of Program funding or other funding possibilities under the Program that the funds are part of the Program;

“(ii) to the extent practicable, track the awarding of Federal funds through the Program; and

“(iii) not less frequently than once every 2 years, submit to the director of the Program a report specifying the amount of Federal funds awarded to conduct research that enhances the understanding of earthquake science.”.

SEC. 4. REVIEW OF THE NATIONAL EARTHQUAKE HAZARD REDUCTION PROGRAM.

(a) IN GENERAL.—As soon as practicable, but not later than such date as is necessary for the Comptroller General of the United States to submit the report required by subsection (c) in accordance with such subsection, the Comptroller General shall complete a review of Federal earthquake hazard risk reduction efforts.

(b) ELEMENTS.—The review conducted under subsection (a) shall include the following:

(1) A comprehensive assessment of—

(A) the extent to which the United States Geological Survey has identified the risks and hazards to the United States posed by earthquakes, including risks and hazards resulting from tsunamis and landslides that are generated by earthquakes;

(B) the efforts of the Federal Emergency Management Agency and the National Institute of Standards and Technology to improve the resilience of the United States to earthquakes and to identify important gaps in the resilience of the United States to earthquakes;

(C) the progress made by the National Institute of Standards and Technology and the Interagency Coordinating Committee (as defined in section 4 of the Earthquake Hazards Reduction Act of 1977 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7703)) to coordinate effectively the budget and activities of the Program agencies (as defined in such section 4) in advancing the plans and goals of the Program (as defined in such section 4) and how coordination among the Program agencies may be improved;

(D) the extent to which the results of research in earthquake risk and hazards reduction supported by the National Science Foundation during the 40 years of the Program has been effectively disseminated to Federal, State, local, and private sector stakeholders; and

(E) the extent to which the research done during the 40 years of the Program has been applied to both public and private earthquake risk and hazards reduction.

(2) Recommendations to improve the Program and the resiliency of the United States to earthquake risks.

(c) REPORT.—As soon as practicable, but not later than 3 years after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation, the Committee on Energy and Natural Resources, and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Science, Space, and Technology, the Committee on Natural Resources, and the Committee on Homeland Security of the House of Representatives a report on the findings of the Comptroller General with respect to the review completed under subsection (a).

SEC. 5. SEISMIC STANDARDS.

Section 8 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7705b) is amended to read as follows:

“SEC. 8. SEISMIC STANDARDS.

“(a) ASSESSMENT AND RECOMMENDATIONS.—Not later than December 1, 2019, the Director of the National Institute of Standards and Technology and the Administrator of the Federal Emergency Management Agency

shall jointly convene a committee of experts from Federal agencies, nongovernmental organizations, private sector entities, disaster management professional associations, engineering professional associations, and professional construction and homebuilding industry associations, to assess and recommend options for improving the built environment and critical infrastructure to reflect performance goals stated in terms of post-earthquake reoccupancy and functional recovery time.

“(b) REPORT TO CONGRESS.—Not later than June 30, 2020, the committee convened under paragraph (1) shall submit to the Committee on Commerce, Science, and Transportation, the Committee on Energy and Natural Resources, and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Science, Space, and Technology, the Committee on Natural Resources, and the Committee on Homeland Security of the House of Representatives a report on recommended options for improving the built environment and critical infrastructure to reflect performance goals stated in terms of post-earthquake reoccupancy and functional recovery time.”.

SEC. 6. MANAGEMENT PLAN FOR ADVANCED NATIONAL SEISMIC SYSTEM.

(a) PLAN REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the United States Geological Survey shall submit to Congress a 5-year management plan for the continued operation of the Advanced National Seismic System.

(b) ELEMENTS.—The plan required by subsection (a) shall include the following:

(1) Strategies to continue the development of an earthquake early warning system.

(2) A mechanism for securing the participation of State and regional level earthquake monitoring entities, including those defunded by the Advanced National Seismic System in the last five years.

(3) A plan to encourage and support the integration of geodetic and geospatial data products into earthquake monitoring in regions experiencing large earthquakes.

(4) A plan to identify and evaluate existing data sets available across commercial, civil, and defense entities to determine if there are additional data sources to inform the development and deployment of the Advanced National Seismic System and an earthquake early warning system.

(5) A plan to ensure that there is an active, geographically diverse, management and advisory structure for the Advanced National Seismic System.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

Section 12 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706) is amended—

(1) in subsection (a)(8)—

(A) in subparagraph (D), by striking “and” at the end; and

(B) by inserting before the language following subparagraph (E) the following:

“(F) \$8,758,000 for fiscal year 2019,

“(G) \$8,758,000 for fiscal year 2020,

“(H) \$8,758,000 for fiscal year 2021,

“(I) \$8,758,000 for fiscal year 2022, and

“(J) \$8,758,000 for fiscal year 2023.”;

(2) in subsection (b)(2)—

(A) in subparagraph (D), by striking “; and” and inserting a semicolon;

(B) in subparagraph (E), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(F) \$83,403,000 for fiscal year 2019, of which not less than \$30,000,000 shall be made available for completion of the Advanced National Seismic System established under section 7707 of this title;

“(G) \$83,403,000 for fiscal year 2020, of which not less than \$30,000,000 shall be made available for completion of the Advanced National Seismic System established under section 7707 of this title;

“(H) \$83,403,000 for fiscal year 2021, of which not less than \$30,000,000 shall be made available for completion of the Advanced National Seismic System established under section 7707 of this title;

“(I) \$83,403,000 for fiscal year 2022, of which not less than \$30,000,000 shall be made available for completion of the Advanced National Seismic System established under section 7707 of this title; and

“(J) \$83,403,000 for fiscal year 2023, of which not less than \$30,000,000 shall be made available for completion of the Advanced National Seismic System established under section 7707 of this title.”;

(3) in subsection (c)(2)—

(A) in subparagraph (D), by striking “and” at the end;

(B) in subparagraph (E), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(F) \$54,000,000 for fiscal year 2019,

“(G) \$54,000,000 for fiscal year 2020,

“(H) \$54,000,000 for fiscal year 2021,

“(I) \$54,000,000 for fiscal year 2022, and

“(J) \$54,000,000 for fiscal year 2023.”;

(4) in subsection (d)(2)—

(A) in subparagraph (D), by striking “and” at the end; and

(B) by inserting before the language following subparagraph (E) the following:

“(F) \$5,900,000 for fiscal year 2019,

“(G) \$5,900,000 for fiscal year 2020,

“(H) \$5,900,000 for fiscal year 2021,

“(I) \$5,900,000 for fiscal year 2022, and

“(J) \$5,900,000 for fiscal year 2023.”.

SEC. 8. TECHNICAL CORRECTIONS.

(a) CORRECTION OF TITLE OF ADMINISTRATOR OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY.—The Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.) is amended—

(1) in section 5 (42 U.S.C. 7704)—

(A) in subsection (a)(3)(B), as amended by section 3(b)(1) of this Act—

(i) in the matter preceding clause (i), by striking “the directors of”;

(ii) in clause (i), by inserting “the Administrator of” before “the”; and

(iii) in clauses (ii) through (v), by inserting “the Director of” before “the” each place it appears; and

(B) in subsection (b)(3)(C), as amended by section 3(e), by striking “Director of the Federal” and inserting “Administrator of the Federal”; and

(2) in section 9 (42 U.S.C. 7705c), by striking “Director of the Agency” and inserting “Administrator of the Federal Emergency Management Agency” each place it appears.

(b) REFERENCES TO THE ADVANCED NATIONAL SEISMIC SYSTEM.—Such Act is amended—

(1) in section 13 (42 U.S.C. 7707), in the section heading, by striking “ADVANCED NATIONAL SEISMIC RESEARCH AND MONITORING SYSTEM” and inserting “ADVANCED NATIONAL SEISMIC SYSTEM”; and

(2) by striking “Advanced National Seismic Research and Monitoring System” each place it appears and inserting “Advanced National Seismic System”.

(c) INCORRECT CROSS-REFERENCES.—Paragraph (4) of section 5(a) of such Act (42 U.S.C. 7704(a)), as amended by section 3(b)(4)(A) of this Act, is amended—

(1) in clauses (i) and (ii) of subparagraph (A), as redesignated by such section 3(b)(4)(A), by striking “subparagraph (3)(A)” both places it appears and inserting “paragraph (3)(D)(i)(I)”;

(2) in clause (iii), as so redesignated, by striking “under (3)(A)” and inserting “under paragraph (3)(D)(i)(I)”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROHRBACHER) and the gentleman from Texas (Mr. VEASEY) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROHRBACHER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on S. 1768, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of S. 1768, the National Earthquake Hazards Reduction Program Reauthorization Act of 2018.

The bill before us is the same text of H.R. 6650, the bill I introduced in the House earlier this year to reauthorize a Federal program that improves America's earthquake preparedness, and which the Senate agreed to accept as the final agreement. With a little indulgence, I might then say that this would be the Rohrabacher-Feinstein Earthquake bill. That is the way it goes.

For 40 years the National Earthquake Hazards Reduction Program, NEHRP, has supported efforts to assess and monitor earthquake hazards and risks across our Nation.

Four Federal agencies coordinate their earthquake activities under this program: the U.S. Geological Survey, the National Science Foundation, the Federal Emergency Management Agency, and the National Institute of Standards and Technology. These agencies assess earthquake hazards, deliver notifications of seismic events, develop measures to reduce earthquake hazards, and conduct research to help reduce overall American vulnerability to earthquakes.

The Congress last reviewed and reauthorized the program in 2004, and that law expired in 2009. Although Congress continues to appropriate funds for this important work, the legislation before us makes long overdue changes to modernize the program and make it more effective.

The bill removes outdated language related to earthquake prediction and instead emphasizes the continued development of an earthquake early-warning system. The bill also reduces various administrative burdens for Federal agencies, burdens that are disruptive to the essential mission of the program. Our approach also improves data sharing between these agencies.

Finally, the legislation provides a 5-year authorization for appropriations at the current funding level.

In my home State of California, we understand the omnipresent threat of another massive earthquake. According to the USGS, California has a 99 percent chance of being devastated by a magnitude 6.7 earthquake, or an even larger one, in the next 30 years. That is the same power as the 1994 Northridge earthquake which killed 57 people, injured more than 8,700 others, and caused damages of up to \$50 billion, making it one of the costliest disasters in American history.

California is not alone. Close to 75 million people in 39 States face significant risk from earthquakes. By being prepared for future disasters we reduce our potential loss of life and property for those who would suffer those consequences.

I want to thank Senators DIANNE FEINSTEIN and LISA MURKOWSKI who introduced this bill in the Senate, as well as Representative PRAMILA JAYAPAL who joined me in introducing the bill in this House. I want to thank the leadership of the House Natural Resources Committee and the House Transportation and Infrastructure Committee for working with us to bring this bill to the floor. Although the Science, Space, and Technology Committee has primary jurisdiction and we were given superb leadership by our current chairman, these committees and the Committee on Science, Space, and Technology do share jurisdiction over the agencies in this program.

Mr. Speaker, let me again express my deep appreciation for the leadership on the other side of the aisle, but especially now that we are going to be losing our chairman, for the great job that he has done as chairman of the Science, Space, and Technology Committee.

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

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE, SPACE, AND
TECHNOLOGY,

Washington, DC, October 29, 2018.

Hon. ROB BISHOP,
Chairman, Committee on Natural Resources,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning S. 1768, the “National Earthquake Hazards Reduction Program Reauthorization Act of 2018,” which was referred to the Committee on Science, Space, and Technology, and additionally to the Committee on Natural Resources, on September 28, 2018.

Although your Committee has a valid jurisdictional interest in certain provisions of S. 1768, I ask that you discharge the Natural Resources Committee from further consideration of this measure to permit the Committee on Science, Space, and Technology to proceed expeditiously to floor consideration of this bill. I ask that you do so with the understanding that your Committee does not waive any future jurisdictional claim over the subject matter contained in the bill that fall within its Rule X jurisdiction.

Finally, I will support an appropriate appointment of outside conferees from your Committee in the event of a House-Senate conference on this legislation and will include our exchange of letters on S. 1768 into the Congressional Record during floor consideration of this bill.

Thank you again for your cooperation.
Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, October 30, 2018.

Hon. LAMAR SMITH,
*Chairman, Committee on Science, Space, and
Technology, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for contacting me regarding S. 1768, the National Earthquake Hazards Reduction Program Reauthorization Act of 2018, which was additionally referred to the Committee on Natural Resources.

In the interest of permitting you to proceed expeditiously to floor consideration of this bill, I will agree to discharge the Natural Resources Committee from further consideration of S. 1768. I do so with the understanding that the Natural Resources Committee does not waive any future jurisdictional claim over the subject matter contained in the bill that fall within its Rule X jurisdiction. I also appreciate your support to name members of the Natural Resources Committee to any conference committee to consider such provisions and for inserting our exchange of letters on S. 1768 into the Congressional Record during consideration of the measure on the House floor.

Thank you again for consulting us regarding this bill, I look forward to continuing to work with you the remainder of this Congress.

Sincerely,

ROB BISHOP,
Chairman.

HOUSE OF REPRESENTATIVES, COM-
MITTEE ON SCIENCE, SPACE, AND
TECHNOLOGY,
Washington, DC, November 9, 2018.

Hon. BILL SHUSTER,
*Chairman, Committee on Transportation and
Infrastructure, House of Representatives,
Washington, DC.*

DEAR MR. CHAIRMAN: I am writing concerning S. 1768, the "National Earthquake Hazards Reduction Program Reauthorization Act of 2018," which was referred to the Committee on Science, Space, and Technology, and additionally to the Committee on Transportation and Infrastructure, on September 28, 2018.

Although your Committee has a valid jurisdictional interest in certain provisions of S. 1768, I ask that you discharge the Transportation and Infrastructure Committee from further consideration of this measure to permit the Committee on Science, Space, and Technology to proceed expeditiously to floor consideration of this bill. I ask that you do so with the understanding that your Committee does not waive any future jurisdictional claim over the subject matter contained in the bill that fall within its Rule X jurisdiction.

Finally, I will support an appropriate appointment of outside conferees from your Committee in the event of a House-Senate conference on this legislation and will include our exchange of letters on S. 1768 into the Congressional Record during floor consideration of this bill.

Thank you again for your cooperation.
Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES, COM-
MITTEE ON TRANSPORTATION AND
INFRASTRUCTURE,
Washington, DC, November 15, 2018.

Hon. LAMAR SMITH,
*Chairman, Committee on Science, Space, and
Technology, Washington, DC.*

DEAR CHAIRMAN SMITH: Thank you for your letter regarding S. 1768, the National Earthquake Hazards Reduction Program Reauthorization Act of 2018. In order to expedite floor consideration of S. 1768, the Committee on Transportation and Infrastructure will forgo action on this bill.

The Committee on Transportation and Infrastructure concurs with the mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I request you urge the Speaker to name Members of the Committee to any conference committee named to consider such provisions.

Please insert copies of this exchange in the Congressional Record during consideration on the House floor. I look forward to working with the Committee on Science, Space, and Technology as the bill moves through the legislative process.

Sincerely,

BILL SHUSTER,
Chairman.

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

Mr. Speaker, I rise today to support S. 1768 to reauthorize the National Earthquake Hazards Reduction Program.

I want to thank Senators FEINSTEIN and MURKOWSKI for developing this good legislation. I also would like to thank my colleagues, Representatives ROHRBACHER and JAYAPAL, for introducing a House companion, and the chairs and ranking members of the authorizing committees for working to arrive at the consensus legislation we are considering today.

The years 1964 and 1994 mark two of the worst earthquakes in U.S. history. Hundreds of people lost their lives, and thousands sustained injuries in these earthquakes that hit Alaska and the Northridge neighborhood of Los Angeles.

Economic losses were in the billions of dollars resulting from earthquakes and tsunamis. While our Nation has been in the path of many disastrous natural events lately, we have been spared from a big earthquake for many years. But we should not become complacent, because another big earthquake will happen, and the human and economic toll will be felt far beyond the immediate disaster zone.

S. 1768 makes Federal investments in research and preparedness activities that will help mitigate earthquake risks for Americans from coast to coast. Specifically, S. 1768 reauthorizes funding for the National Institute of Standards and Technology, the National Science Foundation, the U.S. Geological Survey, and the Federal Emergency Management Agency to continue to carry out research and other activities under the NEHRP program.

Under NEHRP, NSF and USGS carry out fundamental research in the earth sciences. Both agencies have extensive networks of instrumentation that record seismic activity and advance our understanding of the onset, propagation, and intensity of earthquakes. Such research helps advance our early-warning capability and helps communities make informed decisions for earthquake preparation.

NIST is the lead agency for NEHRP and also carries out applied research that provides the scientific basis for earthquake resilient building codes and design guidelines. This bill aims to help communities survive a catastrophic event and continue with critical operations, such as emergency services, utilities, and communication networks.

FEMA provides earthquake training and awareness to States and territories and assists communities in creating seismic mitigation plans in the event of a high-impact earthquake. These activities are invaluable in preparing communities for an earthquake and its aftermath.

The last NEHRP reauthorization was nearly 15 years ago, and the authorizing law needs several updates to ensure it is keeping pace with the state of the science on earthquakes and translating that science into saving lives and property.

The bill before us today includes those much-needed updates and, importantly, provides NEHRP agencies with the needed authority to continue these investments with greater budgetary certainty for the next 5 years.

I appreciate my colleagues working on this bill in a bipartisan fashion in the House and Senate, and I urge support for this bill.

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

Mr. ROHRBACHER. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. SMITH), who is the chairman of the Science, Space, and Technology Committee.

Mr. SMITH of Texas. Mr. Speaker, first of all, I want to thank the gentleman from California, my friend and colleague, for yielding me time.

Mr. Speaker, I support S. 1768, the National Earthquake Hazards Reduction Program Reauthorization Act of 2018.

The final text of the legislation we are considering today was first introduced by Representative DANA ROHRBACHER as H.R. 6650 in August. Representative ROHRBACHER, an active and valued senior member of the Science, Space, and Technology Committee, led efforts to improve the original Senate bill and authorize some additional funding to advance earthquake monitoring and early-warning systems that are critical to his home State of California.

It has been 15 years since the Earthquake Hazards Reduction Program was last reauthorized. This legislation modernizes earthquake safety programs

that help States prepare for and respond to earthquakes.

The National Earthquake Hazards Reduction Program Reauthorization Act is a result of bipartisan collaboration and work with the relevant agencies, congressional committees, private sector and State agency stakeholders.

I want to thank Representative ROHRABACHER for his initiative on moving the bill forward and working across the aisle and across the Capitol with Senator DIANNE FEINSTEIN to get it across the finish line.

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I also want to congratulate him for his 30 years of service to the House Science, Space, and Technology Committee; the Congress; and his constituents. Since joining the committee in 1989, he has been a dedicated advocate for our Nation's space exploration programs, energy research and innovation, and preparing our Nation for natural hazards.

I encourage my colleagues to support S. 1768 and send it to the President's desk.

Mr. VEASEY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

We Californians know what suffering happens when you are unprepared for a wildfire. We have learned that lesson very tragically just recently. There is no need for us to suffer by being unprepared for the next earthquake. That is what this is all about.

I thank my colleagues on the other side of the aisle and especially thank the chairman for the fact that we have worked together in a way that is really going to have a positive impact on so many people by preventing them from having to suffer what we have seen recently in the wildfires in California.

Mr. Speaker, although there is often disagreement in the people's House, we should never overlook those many areas of concurrence.

There are those who believe that human activity, for example, is causing a cataclysmic jump in the temperature of the planet. Others, however, disagree with this analysis and, thus, oppose policies that restrict human activities and drive up the cost of living a decent life. This issue has been a tumultuous division.

However, there are so many other areas in which we can and will focus on, not just in terms of what our committee does, but on which we have a wide acceptance on where precautionary measures are justified and needed. Research in understanding how buildings, bridges, and other infrastructure react to earthquakes is an example of something that I expect that we all agree on. We can see that even here in this debate.

I will not be here next year, but I wanted to mention just a few other science-related areas where bipartisan action could be effective and where the

costs of prevention are minimal as compared to the potential damage. These are things that we have worked on but have not come to a conclusion. Both the chairman and I won't be here next year, but I thought I would mention them.

For example, I hope there can be real progress made in the next few years when it comes to the protection of our planet from asteroids and comets, which have caused massive damage—even extinction—over the last 250 million years. Although we are searching in space near and far for these objects now, we have not organized or put in place the means to divert them or eliminate a threatening object when it is observed heading in our direction.

Another common ground issue should be protecting our space assets from orbital debris, which is basically a man-made minefield in space. We rely on our space-based assets for defense, science, farming, a huge portion of our commerce, and even for navigating your car to a local market. There are many other plans for new satellite constellations and new expectations for increased numbers of people visiting space.

Thus, we will be expanding, hopefully, observation and monitoring of what is going on with the planet for the benefit of the people of the planet. But none of these uses of space will ever be put to work for bettering our lives unless we deal with the debris issue. If we are not protecting our space-based assets, we are risking our future, our way of life, our security, and our prosperity.

I am sorry we did not get this done. It was a bipartisan effort. We just didn't get that, among all the things we were working on this Congress. But I hope the next Congress will succeed and will focus on those two issues where we can cooperate in a very bipartisan way.

Mr. Speaker, I ask my colleagues to support the moving forward of S. 1768, the National Earthquake Hazards Reduction Program Reauthorization Act of 2018.

May we always be prepared to deal with natural disasters, thus protecting our people from needless tragedies. We will always live with the potential of a severe earthquake, but we can minimize the loss and suffering. That is what we are doing here with this legislation.

Mr. Speaker, I look forward to the bill being signed into law by the President by the end of the year, and I yield back the balance of my time.

Ms. BONAMICI. Mr. Speaker, I rise today in support of S. 1768, the National Earthquake Hazards Reduction Program Reauthorization Act. This bill will reauthorize seismological research and warning systems through Fiscal Year 2022.

Congress established the National Earthquake Hazards Reduction Program (NEHRP) to carry out a longterm, inter-agency earthquake research program. NEHRP focuses on earthquake warning, hazard reduction, and

minimizing loss after earthquakes. Earthquake early warning systems can provide several additional seconds of warning before the strongest ground shaking arrives, enough to save lives and protect critical infrastructure.

In Northwest Oregon, it is not a question of if, but when, an earthquake along the Cascadia Subduction Zone will hit our state. The U.S. Geological Survey, in collaboration with the University of Oregon, the University of Washington, Caltech, and University of California, Berkeley, developed ShakeAlert, an early earthquake warning system. The technology has been tested and is proven to work effectively. Federal investments in these programs are critical. Although it is difficult if not impossible to know when and where the next large earthquake will occur, we must do everything that we can to prepare ourselves and our communities to mitigate destruction and save lives. Reauthorizing NEHRP is an important step in recognizing the science behind earthquakes and other natural disasters such as tsunamis and landslides.

I urge my colleagues to support this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROHRABACHER) that the House suspend the rules and pass the bill, S. 1768.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

REDESIGNATING A FACILITY OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that the Committee on Science, Space, and Technology be discharged from further consideration of the bill (S. 3389) to redesignate a facility of the National Aeronautics and Space Administration, 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 Texas?

There was no objection.

The text of the bill is as follows:

S. 3389

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REDESIGNATION OF NASA INDEPENDENT VERIFICATION AND VALIDATION FACILITY.

(a) REDESIGNATION.—The National Aeronautics and Space Administration Independent Verification and Validation Facility in Fairmont, West Virginia, is hereby redesignated as the “Katherine Johnson Independent Verification and Validation Facility”.

(b) REFERENCES.—Any reference in any 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 “Katherine Johnson Independent Verification and Validation Facility”.

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.

GLOBAL FRAGILITY AND
VIOLENCE REDUCTION ACT OF 2018

Mr. ROYCE of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5273) to reduce global fragility and violence by improving the capacity of the United States to reduce and address the causes of violence, violent conflict, and fragility in pilot countries, and for other purposes, as amended.

The Clerk read the title of the bill.
The text of the bill is as follows:

H.R. 5273

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 Fragility and Violence Reduction Act of 2018”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) According to the United Nations, an unprecedented 68.5 million people around the world, the highest level ever recorded, are currently forcibly displaced from their homes.

(2) According to the World Bank, violence and violent conflict are now the leading causes of displacement and food insecurity worldwide, driving 80 percent of humanitarian needs, with the same conflicts accounting for the majority of forcibly displaced persons every year since 1991.

(3) According to the World Health Organization, preventable forms of violence kill at least 1.4 million people each year. According to the Institute for Economics and Peace, violence containment costs the global economy \$14.76 trillion a year, or 12.4 percent of the world’s GDP. If violence were to decrease uniformly across the world by just 10 percent, the global economy would gain \$1.48 trillion each year.

(4) Violence and violent conflict underpin many of the United States Government’s key national security challenges. Notably, violent conflicts allow for environments in which terrorist organizations recruit and thrive, while the combination of violence, corruption, poverty, poor governance, and underdevelopment often enables transnational gangs and criminal networks to wreak havoc and commit atrocities worldwide.

(5) According to new research by the University of Maryland and University of Pittsburgh, exposure to violence increases support for violence and violent extremism. Research increasingly finds exposure to violence as a predictor of future participation in violence, including violent extremism.

(6) United States foreign policy and assistance efforts in highly violent and fragile states remain governed by an outdated patchwork of authorities that prioritize responding to immediate needs rather than solving the problems that cause them.

(7) Lessons learned over the past 20 years, documented by the 2013 Special Inspector General for Iraq Reconstruction Lessons Learned Study, the 2016 Fragility Study Group report, and the 2018 Special Inspector General for Afghanistan Lessons Learned Study on Stabilization, show that effective, sustained United States efforts to reduce violence and stabilize fragile and violence-affected states require clearly defined goals and strategies, adequate long-term funding, rigorous and iterative conflict analysis, coordination across the United States Government, including strong civil-military coordination, and integration with national and sub-national partners, including local civil society organizations, local justice systems, and local governance structures.

(8) The “Stabilization Assistance Review” released in 2018 by the Departments of State and Defense and the United States Agency for International Development states, “The United States has strong national security and economic interests in reducing levels of violence and promoting stability in areas affected by armed conflict.” The Review further states, “Stabilization is an inherently political endeavor that requires aligning U.S. Government efforts—diplomatic engagement, foreign assistance, and defense—toward supporting locally legitimate authorities and systems to peaceably manage conflict and prevent violence.”

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States to—

(1) ensure that all relevant Federal departments and agencies coordinate to achieve coherent, long-term goals for programs designed to prevent violence, stabilize conflict-affected areas, and address the long-term causes of violence and fragility, including when implementing the Global Fragility and Violence Reduction Initiative described in section 5(a);

(2) seek to improve global, regional, and local coordination of relevant international and multilateral development and donor organizations regarding efforts to prevent violence, stabilize conflict-affected areas, and address the long-term causes of violence and fragility in fragile and violence-affected countries, and, where practicable and appropriate, align such efforts with multilateral goals and indicators;

(3) expand and enhance the effectiveness of United States foreign assistance programs and activities to prevent violence, stabilize conflict-affected areas, and address the long-term causes of violence and fragility, including programs intended to improve the indicators described in section 5(d)(1);

(4) support the research and development of effective approaches to prevent violence, stabilize conflict-affected areas, and address the long-term causes of violence and fragility; and

(5) improve the monitoring, evaluation, learning, and adaptation tools and authorities for relevant Federal departments and agencies working to prevent violence, stabilize conflict-affected areas, and address the long-term causes of violence and fragility.

SEC. 4. SENSE OF CONGRESS REGARDING ASSISTANCE FOR THE GLOBAL FRAGILITY AND VIOLENCE REDUCTION INITIATIVE.

It is the sense of Congress that the President, the Secretary of State, the Administrator of USAID, the Secretary of Defense, and the heads of other relevant Federal departments and agencies, should work with Congress to provide sufficient types and levels of funding to—

(1) allow for more adaptive program planning and implementation under the initiative and priority country or regional plans required under section 5, including through exemptions from specific and minimum funding levels when such exemptions would make programs better able to respond to monitoring and evaluation or changed circumstances in relevant countries;

(2) better integrate conflict and violence reduction activities into other program areas where appropriate; and

(3) contribute to the creation of transparent and accountable multilateral funds, initiatives, and strategies to enhance and better coordinate both private and public efforts to prevent violence, stabilize conflict-affected areas, and address the long-term causes of violence and fragility.

SEC. 5. GLOBAL INITIATIVE TO REDUCE FRAGILITY AND VIOLENCE.

(a) INITIATIVE.—The Secretary of State, in coordination with the Administrator of the

United States Agency for International Development (USAID), the Secretary of Defense, and the heads of other relevant Federal departments and agencies, shall establish an interagency initiative, to be referred to as the “Global Initiative to Reduce Fragility and Violence”, to prevent violence, stabilize conflict-affected areas, and address the long-term causes of violence and fragility.

(b) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of USAID, the Secretary of Defense, and the heads of other relevant Federal departments and agencies, shall develop and submit to the appropriate congressional committees an interagency implementation plan for the Global Initiative to Reduce Fragility and Violence established pursuant to subsection (a) that includes the following:

(1) Descriptions of the overall goals, objectives, criteria, and metrics guiding the implementation, including with respect to prioritizing countries and measuring progress.

(2) A list of the priority countries and regions selected pursuant to subsection (d)(2).

(3) Identification of the roles and responsibilities of each participating Federal department or agency, while ensuring that with respect to activities relating to stabilization—

(A) the Department of State shall be the overall lead for establishing United States foreign policy and advancing diplomatic and political efforts;

(B) USAID shall be the lead implementing agency for development, humanitarian, and related non-security programs;

(C) the Department of Defense shall support the activities of the Department of State and USAID as appropriate, including by providing requisite security and reinforcing civilian efforts, with the concurrence of the Secretary of State and Administrator of USAID; and

(D) other Federal departments and agencies shall support the activities of the Department of State and USAID as appropriate, with the concurrence of the Secretary of State and Administrator of USAID.

(4) Identification of the authorities, staffing, and other resource requirements needed to effectively implement the initiative.

(5) Descriptions of the organizational steps the Department of State, USAID, the Department of Defense, and each other relevant Federal department or agency will take to improve planning, coordination, implementation, monitoring, evaluation, adaptive management, and iterative learning with respect to the programs under such initiative.

(6) Descriptions of the steps each relevant Federal department or agency will take to improve coordination and collaboration under such initiative with international development organizations, international donors, multilateral organizations, and the private sector.

(7) Descriptions of potential areas of improved public and private sector research and development, including with academic, philanthropic, and civil society organizations, on more effective approaches to preventing violence, stabilizing conflict-affected areas, and addressing the long-term causes of violence and fragility.

(8) Plans for regularly evaluating and updating, on an iterative basis—

(A) the Global Initiative to Reduce Fragility and Violence;

(B) the interagency implementation plan described in this subsection; and

(C) the priority country and regional plans described in subsection (c).

(c) PRIORITY COUNTRY AND REGIONAL PLANS.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of USAID, the Secretary of Defense, and the heads of other relevant Federal departments and agencies, shall develop and submit to the appropriate congressional committees 10-year plans to align and integrate the diplomatic, development, security, and other relevant activities of the United States Government with the initiative required under subsection (a) for each of the priority countries and regions designated pursuant to subsection (d). Such priority country and regional plans shall include:

(1) Specific interagency plans for coordination and implementation under the country or regional plan.

(2) Descriptions of how and when the relevant goals, objectives, and plans for each priority country or region will be incorporated into relevant United States country plans and strategies, including Department of State Integrated Country Strategies, USAID Country Development Cooperation Strategies, and Department of Defense Campaign Plans, Operational Plans, and Regional Strategies, as well as any equivalent or successor plans or strategies.

(3) Interagency plans to ensure that appropriate local actors, including government and civil society entities and organizations led by women, youth, or under-represented communities, have roles in developing, implementing, monitoring, evaluating, and updating relevant aspects of each such country or regional plan.

(4) Clear, transparent, and measurable diplomatic, development, and security benchmarks, timetables, and performance metrics for each such country and region that align with best practices where applicable.

(5) Interagency plans for monitoring and evaluation, adaptive management, and iterative learning that provide for regular and iterative policy and program adaptations based on outcomes, lessons learned, and other evidence gathered from each such country or region and across such countries and regions.

(6) Descriptions of the available policy tools to prevent violence, stabilize conflict-affected areas, and address the long-term causes of violence and fragility in each such country or region.

(7) Descriptions of the resources and authorities that would be required for each relevant Federal department or agency to best implement each such country or regional plan, as well as evidence-based iterative updates to such plans.

(8) Descriptions of potential areas of improved partnership with respect to such country or region, regarding efforts to prevent violence, stabilize conflict-affected areas, and address the long-term causes of violence and fragility, between the United States Government and—

(A) international development organizations;

(B) relevant international donors;

(C) multilateral organizations; and

(D) the private sector.

(d) DESIGNATION OF PRIORITY COUNTRIES AND REGIONS.—

(1) IDENTIFICATION OF CANDIDATE COUNTRIES AND REGIONS.—The Secretary of State, in coordination with the Administrator of USAID and the Secretary of Defense and in consultation with the appropriate congressional committees, shall develop a list of candidate countries and regions to be considered for inclusion under the initiative on the basis of—

(A) clearly defined indicators of high levels of violence and fragility in such country or region, such as—

(i) violence committed by armed groups, gender-based violence, and violence against children and youth;

(ii) prevalence of, and citizen support for, adversarial armed groups;

(iii) internal and external population displacement;

(iv) patterns of human rights violations, including early warning indicators of the commission of genocide or other atrocities;

(v) poor governance, pervasive corruption, and political instability; and

(vi) vulnerability to current or future transnational threats; and

(B) the capacity and opportunity to work across Federal departments and agencies and with local partners and other donors to prevent violence, stabilize conflict-affected areas, and address the long-term causes of violence and fragility with respect to such country or region, including by measurably—

(i) improving inclusive, transparent, and accountable power structures, including effective, legitimate, and resilient national and sub-national institutions;

(ii) improving effective and respected conflict prevention, mitigation, management, and resolution mechanisms;

(iii) reducing levels of support among the residents of such country or region for violence, violent extremism, and adversarial armed groups;

(iv) ensuring strong foundations for plurality, non-discrimination, human rights, rule of law, and equal access to justice;

(v) addressing political, social, economic, and environmental vulnerabilities, grievances, and conflicts;

(vi) ensuring inclusive economic development and enabling business environments; and

(vii) improving resilience to transnational stresses and shocks, including from organized crime, violent extremist organizations, and economic and food markets crises.

(2) SELECTION OF PRIORITY COUNTRIES AND REGIONS.—From among the candidate countries and regions identified pursuant to paragraph (1), the Secretary of State, in coordination with the Administrator of USAID and the Secretary of Defense, shall select certain countries as “priority countries” and certain regions as “priority regions” in a manner that ensures that—

(A) countries and regions are selected in a sufficient number and of sufficient diversity to provide indicators of the various drivers and early warnings of violence, conflict, and fragility, as well as best practices for United States efforts to prevent violence, stabilize conflict-affected areas, and address the long-term causes of violence and fragility;

(B) not fewer than three countries or regions are designated as “Stabilization Countries” or “Stabilization Regions”, in which the current levels of violence, violent conflict, or fragility are among the highest in the world;

(C) not fewer than three countries or regions are designated as “Prevention Countries” or “Prevention Regions”, in which current levels of violence, violent conflict, or fragility are lower than such levels in Stabilization Countries or Stabilization Regions but warning signs for future violence, conflict, or fragility are significant;

(D) regions, rather than individual countries, are selected where the threat or spillover of violence, conflict, or fragility threatens the stability of multiple countries within a single geographic region; and

(E) the countries and regions selected are in the areas of responsibility of at least three geographic bureaus of the Department of State.

(e) STAKEHOLDER CONSULTATION.—The initiative required under subsection (a) shall be

developed in coordination with representatives of local civil society and national and local governance entities, as well as relevant international development organizations, multilateral organizations, donors, and relevant private, academic, and philanthropic entities, as appropriate.

(f) CONGRESSIONAL CONSULTATION.—The Secretary of State, the Administrator of USAID, and the Secretary of Defense shall provide regular briefings on the implementation of this Act to any appropriate congressional committee upon the request of such committee.

(g) MEASURING VIOLENCE, VIOLENT CONFLICT, AND FRAGILITY.—For the purposes of implementing, monitoring, and evaluating the effectiveness of the priority country and regional plans required under subsection (c), progress towards preventing violence, stabilizing conflict-affected areas, and addressing the long-term causes of violence and fragility shall be measured by indicators established for each such country by relevant inter-agency country teams for each such country, informed by consultations with the stakeholders specified in subsection (e).

SEC. 6. IMPLEMENTATION AND UPDATES OF PRIORITY COUNTRY AND REGIONAL PLANS.

The Secretary of State, in coordination with the Administrator of USAID, the Secretary of Defense, and the heads of other relevant Federal departments and agencies, and in consultation with the relevant United States Ambassadors, USAID Mission Directors, geographic Combatant Commanders, and other relevant individuals with responsibility over activities in each priority country or region designated pursuant to section 5, shall ensure that—

(1) the Global Initiative to Reduce Fragility and Violence and the priority country and regional plans required under such section are implemented, updated, and coordinated on a regular and iterative basis;

(2) such initiative and country and regional plans are used to guide United States Government policy at a senior level and incorporated into relevant strategies and plans across the United States Government and in each such country;

(3) resources for all relevant activities and requirements of such initiative and country and regional plans are prioritized, requested, and used consistent with such initiative and country and regional plans; and

(4) the results of program monitoring and evaluation under such initiative and country and regional plans are regularly reviewed and used to determine continuation, modification, or termination of future year programming.

SEC. 7. BIENNIAL REPORTS AND CONGRESSIONAL CONSULTATION.

(a) BIENNIAL REPORTS.—Not later than two years after the date of the enactment of this Act and every two years thereafter until the date that is 10 years after the date of the enactment of this Act, the Secretary of State, the Administrator of USAID, the Secretary of Defense, and the heads of other relevant Federal departments and agencies shall jointly submit to the appropriate congressional committees a report on progress made and lessons learned with respect to the Global Initiative to Reduce Fragility and Violence and each priority country or regional plan required under section 5, including—

(1) descriptions of steps taken to incorporate such initiative and such country or regional plans into relevant strategies and plans that affect such countries or regions;

(2) accountings of all funding received and obligated to implement each such country or regional plan during the past two years, as well as funding requested, planned, and projected for the following two years;

(3) descriptions of progress made towards the goals and objectives established for each such priority country or region, including progress made towards achieving the specific targets, metrics, and indicators described in section 5(b); and

(4) descriptions of updates made during the past two years to the goals, objectives, plans of action, and other elements described in section 5 for each such country or regional plan, as well as any changes made to programs based on the results of monitoring and evaluation.

(b) CONGRESSIONAL CONSULTATION.—In addition to the reports required under subsection (a), the Secretary of State, the Administrator of USAID, the Secretary of Defense, and the heads of other relevant Federal departments and agencies shall jointly consult with the appropriate congressional committees at least once a year regarding progress made on the initiative and priority country and regional plans required under section 5.

SEC. 8. GAO REVIEW.

(a) IN GENERAL.—Not later than two years after the date of the enactment of this Act and every two years thereafter until the date that is 10 years after the date of the enactment of this Act, the Comptroller General of the United States shall consult with the Chairman and Ranking Member of the Foreign Relations Committee of the Senate and the Foreign Affairs Committee of the House of Representatives regarding opportunities for independent review of the activities under the Global Initiative to Reduce Fragility and Violence and the priority country and regional plans required by section 5, including—

(1) opportunities to—

(A) assess the extent to which United States Government activities in each priority country designated pursuant to section 5 are being implemented in accordance with the initiative and the relevant country or regional plan required under such section;

(B) assess the processes and procedures for coordinating among and within each relevant Federal department or agency when implementing such initiative and each such country or regional plan;

(C) assess the monitoring and evaluation efforts under such initiative and each such country or regional plan, including assessments of the progress made and lessons learned with respect to each such plan, as well as any changes made to activities based on the results of such monitoring and evaluation; and

(D) recommend changes necessary to better implement United States Government activities in accordance with such initiative and country and regional plans, as well as recommendations for any changes to such initiative or plans; and

(2) such other matters the Comptroller General determines to be appropriate.

(b) AVAILABILITY OF INFORMATION.—All relevant Federal departments and agencies shall make all relevant data, documents, and other information available to the Comptroller General for purposes of conducting independent reviews pursuant to this section.

SEC. 9. DEFINITIONS.

In this Act—

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committees on Foreign Relations, Armed Services, and Appropriations of the Senate; and

(B) the Committees on Foreign Affairs, Armed Services, and Appropriations of the House of Representatives.

(2) RELEVANT FEDERAL DEPARTMENT OR AGENCY.—The term “relevant Federal de-

partment or agency” means the Department of the Treasury and any other Federal department or agency the President determines is relevant to carry out the purposes of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, since the horrific attacks of September 11, 2001, the United States has committed lives and treasure to help stabilize countries plagued by conflict and insecurity. We undertake these efforts because unchecked instability abroad threatens our economic, humanitarian, and security interests here at home.

Of course, the United States cannot achieve its objectives alone. We need to coordinate with willing and able partners. We need to engage local leaders, empower civil society, and work with the private sector. We need to improve coordination among our own national security agencies to ensure they are working together to advance clearly defined objectives and eliminate duplication and waste. Through this process, they learn and adapt.

Last June, the Department of State, the U.S. Agency for International Development, and the Department of Defense released a security assistance review that set out a framework to improve U.S. security assistance programs, including stabilization. The legislation we are considering today builds on that effort.

This legislation requires the Secretary of State, in coordination with the Administrator of USAID, the Secretary of Defense, and the heads of other relevant Federal departments and agencies, to develop a comprehensive initiative to address global violence and instability.

Within 6 months, the Secretary of State will submit to Congress an implementation plan that sets out clear goals and objectives, identifies priority countries and regions, defines the roles and responsibilities of each U.S. department and agency, and describes efforts to improve coordination and private sector engagement.

Then, building off that initial survey, the Secretary will submit to Congress a 10-year implementation plan for each identified priority country and region that aligns the diplomatic, develop-

ment, and security activities of the United States.

Mr. Speaker, this is a timely bill that will help ensure the effective use of U.S. foreign assistance, reduce violence and insecurity abroad, and keep America safe. It enjoys bipartisan support. And it just makes sense.

I would like to thank the sponsors—Ranking Member ELIOT ENGEL; the chairman of the Terrorism, Nonproliferation and Trade Subcommittee, TED POE; the chairman of the Homeland Security Committee, MIKE MCCAUL; BILL KEATING of Massachusetts—and their bipartisan cosponsors for their work on this bill.

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

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

Mr. Speaker, I rise in support of this measure. I am proud to have authored this bipartisan piece of legislation, and I thank Chairman ROYCE for his leadership in bringing it to the floor. I also want to thank Congressmen POE, MCCAUL, KEATING, and ADAM SMITH for joining me as original cosponsors.

Around the world, levels of violence are at a 25-year high, driving massive instability. This is a global security threat, as fragile, unstable states are breeding grounds for criminals and terrorists.

There is a significant economic toll as well. Violence and instability undercut American investment and development efforts, and cost the global economy nearly \$15 trillion a year.

But probably worst of all, this violence and instability has created a humanitarian catastrophe. The world now faces an unprecedented refugee crisis: 68.5 million people have left their homes. This is the highest level ever recorded.

Naturally, we need to do more to end this violence and instability, and prevent it from happening in the first place. Over the years, we have learned a lot about what works to stabilize conflicts and prevent violence from breaking out. We need to update our government policies to implement those lessons.

This bill does just that by establishing an initiative to reduce fragility and violence, and to align American policy and programs with best practices. It will require the State Department, USAID, and the Department of Defense to coordinate their diplomatic, development, and security activities, with a focus on at least six priority countries or regions. It also requires innovative approaches to coordinate our work with partners, measure results, and adapt to changing conditions. Finally, it mandates robust oversight to ensure our efforts are implemented effectively.

□ 1645

The Global Fragility and Violence Reduction Act is an important step in thwarting many of the most devastating crises facing the world right

now and preventing new ones from emerging in the future. I am very happy to have authored this legislation, and I urge my colleagues to join me in passing it today.

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

Mr. ROYCE of California. Mr. Speaker, I yield 2 minutes to the gentleman from Texas, Judge TED POE, chairman of the Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade.

Mr. POE of Texas. Mr. Speaker, I want to express my strong support for this legislation of which I am an original cosponsor. I was proud to work alongside Ranking Member ENGEL, Mr. ADAM SMITH, Mr. MCCAUL, and Representative KEATING on this legislation.

Around the globe today, Mr. Speaker, fractured nations are struggling with conflict, violence, and a range of other challenges that degrade security and prevent their internal development.

Weak states and ungoverned places anywhere in the world provide opportunities for terrorism and instability to flourish. As a result, these fragile states become national security concerns for our country.

Mr. Speaker, we need to solve problems in a smarter way so we don't have to constantly deploy America's sons and daughters into harm's way to fight more foreign wars. The United States has been at war consistently for over 17 straight years. Maybe it is time we rethink our philosophy of constant military involvement throughout the globe as a first response to turmoil and unrest.

We need to address the underlying root causes of instability: treat the disease, not just the symptoms. That is what this bill will do. It will require the development of a whole-of-government approach to targeting root causes of instability and conflict in the world's most fragile regions before they require military interventions by the United States.

Instead of parallel efforts that often respond to conflict with short-term solutions, this bill will require long-term, coordinated strategies that make our foreign assistance dollars more effective. It will allow Congress to have more oversight of those foreign aid dollars. The money we spend abroad must be designed to solve problems, not endlessly consume resources by military conflict.

Mr. Speaker, I want to thank Ranking Member ENGEL for his leadership on this critical issue. I do urge my colleagues to support this legislation.

I also want to take a moment to thank Ranking Member ENGEL for his friendship and support and his work on the Foreign Affairs Committee since I have been on the committee. I also want to thank Chairman ROYCE, who will also be leaving Congress at the end of this session, for his work.

As we have said numerous times, if more committees would work in a bi-

partisan way to solve a specific goal—the long-term interests of the United States being that goal—I think things would be better here in the House. But I want to thank both of these Members for their relationship with me and for working so hard to help America solve these international problems in a bipartisan way.

And that is just the way it is.

Mr. ENGEL. Mr. Speaker, the gentleman from Texas (Mr. POE) who just spoke, I think it is very appropriate now, as the Congress is moving to an end, to thank him for his hard work and for his good friendship. He really is a Member's Member and is really indicative of the bipartisan showing that we had for many, many years on the Foreign Affairs Committee.

We are going to miss the gentleman on the committee, and we hope he will continue to watch us and call us and keep in touch with us because he truly is a fine Member and someone whom I am really proud to call my friend. And if I may so say, and that is just the way it is.

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

Mr. ROYCE of California. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. MCCAUL), chairman of the Committee on Homeland Security and a senior member of the Foreign Affairs Committee.

Mr. MCCAUL. Mr. Speaker, I rise in support of the bill I wrote with Mr. ENGEL, my good friend, the Global Fragility and Violence Reduction Act.

Mr. Speaker, one of our greatest national security challenges is preventing violent conflict around the world. Violent conflict creates hostile environments and displaces and deprives citizens. It costs the global economy over \$14 trillion annually.

They also provide fertile recruiting grounds for terrorist groups and transnational criminal organizations, which I have tracked in my role as chairman of the Committee on Homeland Security. Often, these environments thrive in states that are fragile, where the government loses legitimacy in the eyes of its own people and, ultimately, its ability to govern.

When ignored, these breakdowns in a government ultimately can lead to lengthy and costly involvement by the United States. That is why, today, Congressman ENGEL and I are proposing an innovative, new way of thinking about these challenges.

The Global Fragility and Violence Reduction Act requires the administration to launch an initiative to reduce this fragility and violence. This will guide our efforts to reduce violent conflict and help fragile states down a path towards stability.

This bill also requires the Department of State, in coordination with USAID and the Department of Defense, to identify 10 countries or regions as a pilot program to start this new initiative. This initiative ensures local partnerships are at the core of any solution

in order to deliver better long-term results.

Since each fragile state is different, this initiative is flexible to address the causes of fragility. What may work to solve the economic and migration issues of Venezuela are likely to be different than the solutions needed to help curb terrorist groups in west Africa.

By integrating the Department of State, USAID, and DOD together and prioritizing, we are reshaping how we think about how we deliver aid and development resources, preventing them from spiraling into chaos.

Mr. Speaker, I would like to thank, again, the ranking member; I would like to thank Chairman ROYCE for his friendship, as well as Mr. POE and Mr. SMITH; and I hope everybody will attend the chairman's portrait unveiling at the National Archives this evening.

Mr. ENGEL. Mr. Speaker, again, I want to thank the bipartisan group of lawmakers who worked with me on this bill—Mr. POE, Mr. MCCAUL—and I thank Chairman ROYCE for his leadership, as always.

After 17 years of war with no end in sight, we should all be able to understand the value of preventing conflicts before they start. We have learned a lot about what works and what doesn't when it comes to stabilizing conflicts and preventing violence from breaking out. This bill applies those lessons to American policy. By addressing the root causes of violence, we get closer to a safer and more stable, prosperous world.

Mr. Speaker, I strongly support the passage of this measure. I encourage my colleagues to do the same, and I yield back the balance of my time.

Mr. ROYCE of California. Mr. Speaker, let me begin by thanking Mr. ENGEL, the author of this measure, and I express my deep appreciation for his help in all that we have undertaken with our committee.

There are, as ELIOT knows, 70 million men, women, and children who have been displaced by conflict around this globe. While the United States is the most generous provider of humanitarian assistance, it is really true that no amount of tents and sheeting will stop the suffering and the misery that these people feel.

We need solutions to get at the roots of these problems, and the legislation we are considering today helps us down the right path to do that. While it does not obligate the United States to take on stabilization efforts, it does provide the framework for improved coordination so that we can be more strategic, more efficient, and more effective with our diplomatic development and security assistance.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 5273, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

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

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

UNITED STATES-MEXICO ECONOMIC PARTNERSHIP ACT

Mr. ROYCE of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1567) to promote economic partnership and cooperation between the United States and Mexico, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1567

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 “United States-Mexico Economic Partnership Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The United States and Mexico have benefited from a bilateral, mutually beneficial partnership focused on advancing the economic interests of both countries.

(2) In 2013, Mexico adopted major energy reforms that opened its energy sector to private investment, increasing energy cooperation between Mexico and the United States and opening new opportunities for United States energy engagement.

(3) On January 18, 2018, the Principal Deputy Assistant Secretary for Educational and Cultural Affairs at the Department of State stated, “Our exchange programs build enduring relationships and networks to advance U.S. national interests and foreign policy goals. . . . The role of our exchanges. . . . in advancing U.S. national security and economic interests enjoys broad bipartisan support from Congress and other stakeholders, and provides a strong return on investment.”

(4) According to the Institute of International Education, in the 2015-2016 academic year, more than 56,000 United States students studied in other countries in the Western Hemisphere region while more than 84,000 non-United States students from the region studied in the United States, but only 5,000 of those United States students studied in Mexico and only 16,000 of those non-United States students were from Mexico.

(5) In March 2011, the United States launched the 100,000 Strong in the Americas Initiative, which seeks to increase educational exchanges between the United States and other countries in the Western Hemisphere region so that 100,000 United States students are studying in other countries in the Western Hemisphere region and 100,000 non-United States students from the region are studying in the United States per year by 2020.

(6) In January 2014, the United States established the 100,000 Strong in the Americas Innovation Fund, which seeks to realize the goals of the 100,000 Strong in the Americas Initiative by facilitating a public-private partnership between the Department of State and nongovernmental organizations, corporations, and universities in the United States and other countries of the Western Hemisphere region.

(7) To date, the 100,000 Strong in the Americas Innovation Fund has awarded more than 100 grants to more than 250 higher education institutions from 25 countries in the Western Hemisphere region, and has raised \$9,000,000 in investments, 75 percent of which was from corporations, foundations, and regional governments.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to continue deepening economic cooperation between the United States and Mexico; and

(2) to seek to prioritize and expand educational and professional exchange programs with Mexico, including through the framework of the 100,000 Strong in the Americas Initiative.

SEC. 4. STRATEGY TO PRIORITIZE AND EXPAND EDUCATIONAL AND PROFESSIONAL EXCHANGE PROGRAMS WITH MEXICO.

(a) IN GENERAL.—The Secretary of State shall develop a strategy to carry out the policy described in section 3, to include prioritizing and expanding educational and professional exchange programs with Mexico through the framework of the 100,000 Strong in the Americas Initiative.

(b) ELEMENTS.—The strategy required under subsection (a) shall—

(1) encourage more academic exchanges between the United States and Mexico at the secondary, post-secondary, and post-graduate levels, especially with communities and through academic institutions in the covered United States-Mexico border region;

(2) encourage United States and Mexican academic institutions and businesses to collaborate to assist prospective and developing entrepreneurs in strengthening their business skills and promoting cooperation and joint business initiatives across the United States and Mexico, with a focus on initiatives in the covered United States-Mexico border region;

(3) promote energy infrastructure coordination and cooperation through support of vocational-level education, internships, and exchanges between the United States and Mexico, particularly in the region in which the Eagle Ford Shale is located and in proximity to such region; and

(4) assess the feasibility of fostering partnerships between universities in the United States and medical school and nursing programs in Mexico to ensure that medical school and nursing programs in Mexico have comparable accreditation standards as medical school and nursing programs in the United States by the Accreditation and Standards in Foreign Medical Education, in addition to the Accreditation Commission For Education in Nursing, so that medical students can pass medical licensing board exams, and nursing students can pass nursing licensing exams, in the United States.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to Congress a report on the strategy required under subsection (a).

SEC. 5. DEFINITIONS.

In this Act:

(1) 100,000 STRONG IN THE AMERICAS INITIATIVE.—The term “100,000 Strong in the Americas Initiative” means the initiative established in March 2011 by the United States Government to increase educational exchanges in the Western Hemisphere.

(2) COVERED UNITED STATES-MEXICO BORDER REGION.—The term “covered United States-Mexico border region” means those portions of the United States and Mexico that are within 100 kilometers of the international boundary between those countries.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include any extraneous material in the RECORD.

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

There was no objection.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank Representative CUELLAR and Representative CASTRO as well as the ranking member of the Foreign Affairs Committee, Mr. ENGEL, and the chairman of the Homeland Security Committee, MIKE MCCAUL, for their work on the legislation that we are considering here today.

The United States and Mexico share strong economic and cultural ties. As our neighbor to the south, a strong, stable Mexico benefits the United States. Realizing this, we already have many professional and educational exchanges between our two countries to help see that young people in Mexico graduate from school and enter the workforce with the skills, the credentials, and the experience that they need in the 21st century.

In the 2015-2016 school year, 5,000 U.S. students studied abroad in Mexico while 16,000 Mexican students studied in the U.S. They did this through various exchange programs.

These are good numbers, true, but more can be done to ensure that our young people are taking advantage of existing opportunities to study in both countries, and this bill builds on existing programs to expand and strengthen these exchanges.

In particular, the bill focuses on exchanges in four important areas, and these are higher education, medical school, entrepreneurship, and the energy sector. These are all areas from which the U.S. and Mexico stand to mutually benefit from greater cooperation.

There are, of course, areas in which the U.S.-Mexico relationship can improve. For example, Mexico needs to do more to combat the rampant corruption that has taken its toll on its citizens' trust.

But this does not mean that our two countries cannot work together to ensure a brighter, more successful future for young people in both of our countries. Educational and professional exchanges are key to that goal, so I urge my colleagues to support this legislation, and I reserve the balance of my time.

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

Mr. Speaker, I rise in strong support of this measure. This is a good bill. I

thank its authors and Chairman ROYCE for bringing it forward.

I will discuss its merits in a moment because I can't, in good conscience, stand on the House floor and talk about our economic partnership with Mexico and not speak for a moment on what is happening right now on our southern border.

The President tweeted that the migrants seeking asylum in our country are stone-cold criminals. I have seen the images, and I don't see stone-cold criminals. I see children with bare feet. I see hungry mothers. I see toddlers in diapers. I see desperate fathers. And I see tear gas being lobbed from the United States into Mexico.

The President says not to worry. He says it is a very safe sort of tear gas. The American people aren't stupid. The American people know what this country stands for. They know we are a nation of immigrants. They know that America doesn't kick people when they are down or slam the door on those fleeing poverty and violence.

I hope the President gets the message.

Now, the measure before us deals with our incredibly important relationship with our neighbor to the south, Mexico. Mexico is our close friend and ally, our third largest trading partner, and a country with which we share extraordinarily close cultural and person-to-person ties.

This bill builds on the Obama administration's 100,000 Strong in the Americas initiative by requiring the Secretary of State to expand the exchange programs that allow our students and business leaders to share and learn from each other.

There is no better way to advance the future of our bilateral ties than by allowing young people and professionals to experience what makes each of our countries unique.

It is also critical that we send a strong message to the Mexican people that the United States Congress will not walk away from them, despite any damage done to our relationship over the past several years.

As I have said many times in the Foreign Affairs Committee and on the House floor, the United States should be in the business of building bridges, not walls, to our friends in Mexico. The timing of this legislation could not be more ideal.

□ 1700

Mr. Speaker, 4 days from now, Andres Manuel Lopez Obrador will be sworn in as President of Mexico. By passing this measure today, the House of Representatives is recommitting itself to our bilateral relationship. We are sending a loud and clear message that the prosperity of our countries' futures depends on an enduring U.S.-Mexico relationship.

Mr. Speaker, I urge my colleagues to join me in supporting this legislation, and I reserve the balance of my time.

Mr. ROYCE of California. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. CUELLAR), the author of this bill.

Mr. CUELLAR. Mr. Speaker, I thank the ranking member, Mr. ENGEL, for yielding to me and also for his leadership in helping to bring this bill to the floor. I thank him and his staff for the wonderful work that they have done. I also thank Chairman ROYCE and his staff for their leadership. I, with both Chairman ROYCE and Ranking Member ENGEL, spoke a lot about this bill and why it is important that we pass this particular bill.

I thank my colleagues, Representative CASTRO and Representative POE, who helped on this bill. I thank them for their work on the committee, and also Representative MCCAUL for signing on as a bipartisan measure.

In fact, in the next few days, on Friday, Representative MCCAUL, myself, and a delegation will be going over to Mexico for the swearing in. I think this is a very appropriate time, as Mr. ENGEL mentioned, to have this bill to send this positive message.

This bill is important in many ways. It is bipartisan legislation that promotes mutual national security interests and economic partnership and cooperation between the United States and Mexico, with a focus on the energy, health, entrepreneurship, and education sectors.

Mexico is one of the United States' top trading partners, with an estimated \$615 billion in two-way trade between those two countries, which means that every day there is more than \$1.3 billion of trade between the U.S. and Mexico. That means that every single minute you are talking about more than \$1 million of trade between the U.S. and Mexico, and this is why it is very important to have this type of relationship.

As the chairman mentioned a few minutes ago, in the 2015-2016 academic year, according to the Institute of International Education, more than 56,000 United States students studied in other countries in the Western Hemisphere, while more than 84,000 non-U.S. students from that region studied in the U.S.

However, there are only 5,000 of those United States students who studied in Mexico, and only 16,000 of those non-U.S. students were from Mexico. This is why we need to do more to increase our educational exchange with our very important trading partner.

Specifically, this bill establishes that it should be the policy of the United States to continue deepening the economic cooperation between the United States and Mexico and to expand the educational and professional exchange programs with our neighbors to the south. In order to do this, it would require the Secretary of State to develop a strategy that:

One, encourages more economic exchanges between the two countries at the secondary, postsecondary, and postgraduate levels, especially with

communities in the southern border region;

Two, encourages the United States and Mexican academic institutions and businesses to collaborate to train aspiring entrepreneurs;

Three, promotes energy infrastructure coordination and cooperation through the support of vocational education, internships, and exchanges between both countries; and

Four, assesses the feasibility of fostering binational partnerships between universities and medical school and nursing programs, and that is a natural fit that we can do with that particular neighbor to the south.

So, again, if we increase economic exchanges at universities that we have in Texas and across California and New Mexico and Arizona and other parts, that basically means that we will better prepare our students for success in the workplace and increase job opportunities for those areas and the small businesses along the border.

Again, to conclude, I thank the chairman of the Foreign Affairs Committee, Chairman ED ROYCE. He is very passionate about Mexico, and I thank him for that passion.

I thank Ranking Member ELIOT ENGEL again. He is very passionate. I think this is something that we feel is very important about Mexico, and I thank him for advancing this bill through the committee.

And, again, to the staff, both on the Republican side and on the Democratic side, I thank them.

So, to conclude, I encourage my colleagues to support this important piece of legislation, and I look forward to seeing this bill pass into law.

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

Mr. Speaker, I close by again emphasizing the importance of the U.S.-Mexico relationship. For so many years, this relationship was characterized by mistrust. That has changed over the past two decades.

As just one example, bilateral cooperation on counternarcotics is now the norm and led to the extradition of drug kingpin El Chapo Guzman to the United States in the last hours of the Obama administration. He is on trial now in an American court.

Mr. Speaker, 20 years ago, it would have been hard to imagine coming to the House floor in support of a bipartisan bill on educational exchanges with Mexico. Now a bill like this will glide through the House with little opposition.

But we cannot take this cooperation for granted. Far too much is at stake to allow the bilateral relationship between the United States and Mexico to deteriorate. There is a new government, a new leader of Mexico coming in, and I hope we can very swiftly establish the good relationship that our two countries have and not dwell on some of the recent discussions and problems involving a wall or anything else.

So I thank my colleagues for joining me in supporting this legislation to double down on the successes in the U.S.-Mexico partnership. I thank Chairman ROYCE, I thank the sponsors of this bill, I thank Mr. CUELLAR, and I thank all our colleagues for supporting this bill. I urge its immediate passage.

The U.S.-Mexico partnership is one of our most important partnerships, and the House of Representatives ought to be doing everything it can to enhance that relationship, and that is one of the things we are doing by passing this bill today.

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

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

Mr. Speaker, in closing, I would like to again stress that this is one of America's most important relationships.

I would also like to stress my appreciation for the work of Congressman HENRY CUELLAR not just on this bill, but on the overall relationship with Mexico. I have had the opportunity to work with him in the past. I know his passion on this, and I appreciate his effectiveness.

I thank Representative CASTRO as well, and, of course, the ranking member of this committee, Mr. ENGEL. And I should mention the work, also, of the chairman of our Homeland Security Committee, MIKE MCCAUL. They all worked on the legislation we are considering today.

I think that educational and professional exchanges really allow young American and Mexican students and young professionals the chance to not only experience a new culture for them, but also to ensure that our young people graduate from school and enter the workforce with the skills, the credentials, the experience, and the knowledge also about our neighbors, the knowledge they need in the 21st century.

I urge all of my colleagues to join us in supporting this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. POE of Texas). The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 1567, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PREVENTING DESTABILIZATION OF IRAQ ACT OF 2018

Mr. ROYCE of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4591) to impose sanctions with respect to Iranian persons that threaten the peace or stability of Iraq or the Government of Iraq, as amended.

The Clerk read the title of the bill.
The text of the bill is as follows:

H.R. 4591

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 "Preventing Destabilization of Iraq Act of 2018".

SEC. 2. IMPOSITION OF SANCTIONS WITH RESPECT TO FOREIGN PERSONS THREATENING PEACE OR STABILITY IN IRAQ.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of the Treasury and the Secretary of State should continue to implement Executive Order 13438 (50 U.S.C. 1701 note; relating to blocking property of certain persons who threaten stabilization efforts in Iraq).

(b) IMPOSITION OF SANCTIONS.—The President shall impose the sanctions described in subsection (c) with respect to any foreign person that the President determines knowingly commits a significant act of violence that has the direct purpose or effect of—

(1) threatening the peace or stability of Iraq or the Government of Iraq;

(2) undermining the democratic process in Iraq; or

(3) undermining significantly efforts to promote economic reconstruction and political reform in Iraq or to provide humanitarian assistance to the Iraqi people.

(c) SANCTIONS DESCRIBED.—

(1) IN GENERAL.—The sanctions described in this subsection are the following:

(A) ASSET BLOCKING.—The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a foreign person determined by the President to be subject to subsection (b) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) ALIENS INELIGIBLE FOR VISAS, ADMISSION, OR PAROLE.—

(i) VISAS, ADMISSION, OR PAROLE.—An alien who the Secretary of State or the Secretary of Homeland Security (or a designee of one of such Secretaries) determines is subject to subsection (b) is—

(I) inadmissible to the United States;

(II) ineligible to receive a visa or other documentation to enter the United States; and

(III) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(ii) CURRENT VISAS REVOKED.—

(I) IN GENERAL.—Any visa or other documentation issued to an alien who is a foreign person that is described in subsection (b) regardless of when such visa or other documentation was issued, shall be revoked and such alien shall be denied admission to the United States.

(II) EFFECT OF REVOCATION.—A revocation under subclause (I) shall take effect immediately and shall automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(2) PENALTIES.—A person that is subject to sanctions described in paragraph (1)(A) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(3) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions

under paragraph (1)(B) shall not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(d) WAIVER.—The President may, on a case-by-case basis and for periods not to exceed 180 days, waive the application of sanctions in this section with respect to a foreign person if the President certifies to the appropriate congressional committees at least 15 days before such waiver is to take effect that such waiver is vital to the national security interests of the United States.

(e) IMPLEMENTATION AUTHORITY.—The President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) for purposes of carrying out this section.

(f) REGULATORY AUTHORITY.—

(1) IN GENERAL.—The President shall, not later than 90 days after the date of the enactment of this Act, promulgate regulations as necessary for the implementation of this section.

(2) NOTIFICATION TO CONGRESS.—Not less than 10 days before the promulgation of regulations under paragraph (1), the President shall notify and provide to the appropriate congressional committees the proposed regulations and the provisions of this section that the regulations are implementing.

(g) DEFINITIONS.—In this section—

(1) ADMITTED; ALIEN.—The terms "admitted" and "alien" have the meanings given those terms in section 101(3) of the Immigration and Nationality Act (8 U.S.C. 1101(3)).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Foreign Affairs, the Committee on the Judiciary, the Committee on Ways and Means, and the Committee on Financial Services of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(3) FOREIGN PERSON.—The term "foreign person" means a person that is not a United States person.

(4) GOVERNMENT OF IRAQ.—The term "Government of Iraq" has the meaning given that term in section 576.310 of title 31, Code of Federal Regulations, as in effect on June 22, 2016.

(5) KNOWINGLY.—The term "knowingly", with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(6) PERSON.—The term "person" has the meaning given that term in section 576.311 of title 31, Code of Federal Regulations, as in effect on June 22, 2016.

(7) PROPERTY; PROPERTY INTEREST.—The terms "property" and "property interest" have the meanings given those terms in section 576.312 of title 31, Code of Federal Regulations, as in effect on June 22, 2016.

(8) UNITED STATES PERSON.—The term "United States person" has the meaning given that term in section 576.317 of title 31, Code of Federal Regulations, as in effect on June 22, 2016.

(h) SUNSET.—This section shall cease to be effective beginning on January 1, 2022.

SEC. 3. DETERMINATION WITH RESPECT TO THE IMPOSITION OF SANCTIONS.

(a) DETERMINATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the

appropriate congressional committees a determination, including a detailed justification, on whether Asa'ib Ahl al-Haq, Harakat Hizballah al-Nujaba, Liwa Fatemiyoun, Liwa Zainebiyoun, and any foreign person that is an official, agent, affiliate of, or owned or controlled by Asa'ib Ahl al-Haq, Harakat Hizballah al-Nujaba, Liwa Fatemiyoun, or Liwa Zainebiyoun meets the criteria for—

(1) designation as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189);

(2) the application of sanctions pursuant to Executive Order 13224 (50 U.S.C. 1701 note); relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism); or

(3) the application of sanctions pursuant to section 2 of this Act.

(b) ADDITIONAL DETERMINATION.—

(1) IN GENERAL.—The Secretary of State shall include in the determination submitted under subsection (a) an additional determination, including a detailed justification, on whether any of the individuals described in paragraph (2) meets the criteria for the application of sanctions described in paragraph (2) or (3) of subsection (a).

(2) INDIVIDUALS DESCRIBED.—The individuals described in this paragraph are the following:

- (A) Qais al-Khazali.
- (B) Laith al-Khazali.
- (C) Akram Abbas al-Kaabi.
- (D) Shibl al-Zaydi.
- (E) Kazim al-Ta'i.
- (F) Hamid al-Jazairi.
- (G) Ali al-Yasiri.

(c) FORM.—The determination in subsection (a) and the additional determination in subsection (b) shall be submitted in unclassified form but may contain a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, the Committee on Financial Services, and the Committee on the Judiciary of the House of Representatives; and

(2) the Committee on Armed Services, the Committee on Foreign Relations, the Select Committee on Intelligence, the Committee on Banking, Housing, and Urban Affairs, and the Committee on the Judiciary of the Senate.

SEC. 4. WATCHLISTS.

(a) IN GENERAL.—The Secretary of State shall annually establish, maintain, and publish a list of armed groups, militias, or proxy forces in Iraq receiving logistical, military, or financial assistance from Iran's Revolutionary Guard Corps or over which Iran's Revolutionary Guard Corps exerts any form of control or influence.

(b) PUBLICATION.—The lists required under subsection (a) shall be published at the same time as the Department of State's Annual Country Reports on Terrorism, beginning with the first such Country Reports published after the date of the enactment of this Act.

(c) FORM.—If the Secretary of State determines that it is appropriate to do so, the Secretary may, not later than 30 days after publication of the Annual Country Reports on Terrorism referred to in subsection (b), submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a classified annex.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on this measure.

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

There was no objection.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume

Mr. Speaker, this past September, thousands of Iraqis protested throughout the south of the country calling for Iran to stop meddling in their democracy. Yet, as these protesters shouted out, “Iran out,” their pleas were met with bullets by militias funded by and commanded by Iranians.

This latest bout of violence in Iraq is not surprising. Iran has used the fight against ISIS as an excuse to expand its footprint inside Iraq and to fund tens of thousands of militia forces. Even as ISIS has receded in Iraq, Iranian-backed militias have continued to expand throughout the country and to expand into Syria, where these militias have helped the brutal Assad regime commit countless war crimes.

These Iranian-backed militias not only threaten the Syrian and Iraqi people, they also pose a serious threat to U.S. personnel serving overseas, and I will tell you why.

Mr. Speaker, 2 months ago, one of these militias launched mortars at the U.S. Embassy in Baghdad, prompting a stern warning from the administration that the U.S. will hold the Iranian regime accountable for any attack by these militias against any U.S. personnel or U.S. Government facility.

These militias also pose a direct threat to Israel. Some have formed a so-called Golan Liberation Brigade, with the explicit intent to attack Israel. The U.N. Ambassador, Nikki Haley, has cited reports alleging that Iran has begun transferring ballistic missiles to these militias that are in Iraq.

Despite all this, many of these Iranian-backed militias have not been designated as terrorist organizations nor are they otherwise subject to U.S. sanctions, despite being affiliates of Iran's Revolutionary Guard. This oversight could allow these militias to access the U.S. financial system.

Mr. Speaker, this bipartisan legislation will allow support and it will bring that support to democracy in Iraq, and it will counter Iran's deadly influence there. This bill is narrowly tailored to go after those militias directly funded and commanded by the IRGC—the same militias that have attacked our soldiers; the same militias that continue to threaten those in the region.

I am pleased that this bill also includes provisions to establish a watch list of Iranian-backed militias in Iraq, which will allow Congress to continually monitor Iran's activity in the country, including new militias which may emerge in the future.

The Iraqi people deserve and want genuine political reform and democracy, and above all else, they want peace. This cannot happen so long as Iran continues to fund and command militias within Iraq.

Empowering Iranian militias is a step backwards for Iraq. Instead, it would introduce the Hezbollah model and all the chaos that goes along with it. Iranian influence will only perpetuate the cycle of violence and increase the sectarian polarization, once again creating the conditions for the reemergence of ISIS, al-Qaida, and other radical Islamist groups.

For all these reasons, I urge my colleagues to join me in supporting this measure, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, November 27, 2018.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs,
Washington, DC.

DEAR CHAIRMAN ROYCE: I write with respect to H.R. 4591, the “Preventing Iranian Destabilization of Iraq Act.” As a result of your having consulted with us on provisions within H.R. 4591 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I forego any further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 4591 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation and that our committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 4591 and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of the bill.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, November 27, 2018.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary,
Washington, DC.

DEAR CHAIRMAN GOODLATTE: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 4591, the Preventing Iranian Destabilization of Iraq Act, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this bill or similar legislation in

the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 4591 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, November 26, 2018.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs,
Washington, DC.

DEAR CHAIRMAN ROYCE: I write to you regarding H.R. 4591, the "Preventing Iranian Destabilization of Iraq Act of 2017", which the Committee on Ways and Means has jurisdictional interest.

As a result of your having consulted with us on provisions in H.R. 4591 that fall within the Rule X jurisdiction of the Committee on Ways and Means, including asset blocking, I agree to waive formal consideration of this bill. The Committee on Ways and Means takes this action with the mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

I would appreciate your response confirming this understanding with respect to H.R. 4591 and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of the bill on the House floor.

Sincerely,

KEVIN BRADY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, November 27, 2018.

Hon. KEVIN BRADY,
Chairman, Committee on Ways and Means,
Washington, DC.

DEAR CHAIRMAN BRADY: Thank you for consulting with the Foreign Affairs Committee and agreeing to forgo a sequential referral request on H.R. 4591, the Preventing Iranian Destabilization of Iraq Act, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future.

I will seek to place our letters on H.R. 4591 into the Congressional Record during floor consideration. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

□ 1715

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

Mr. Speaker, I rise in support of this bill, and I thank Representatives KINZINGER, POE, and SUOZZI for their bipartisan leadership on this legislation. And, of course, I thank Chairman ROYCE for working with me to get this legislation into shape for the floor.

The vision that Democrats and Republicans have for Iraq is very similar. We all want to see Iraqis work together to provide for a more prosperous future for their country. We want the greatest number of Iraqis to access the wealth of their country's natural resources. We want to see Iraqis focus more on what unites them than what divides them. We want to prevent the resurgence of ISIS and the next generation of ISIS or al-Qaida. We want to protect religious minorities.

That is why it is so important to bring this legislation to the floor today. That is why Republicans and Democrats worked together to find common ground on American policies in Iraq. Especially after the Iraqi election, when it remains unclear which path Iraq will choose, we want to demonstrate to the Iraqi people that we support their efforts to build a better country.

This bill penalizes those who want to exploit Iraq's sectarian differences and those who use violence toward those ends. It also establishes a separate watch list to help keep track of proxy groups in Iraq that are doing the bidding of Iran's Islamic Revolutionary Guard Corps.

It sends the message that those in power must prioritize answering to the Iraqi people and not to Iran. We hope that this legislation will empower those who seek a better future for Iraq and its people.

I am glad to support H.R. 4591, and I reserve the balance of my time.

Mr. ROYCE of California. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. KINZINGER). A member of the Committee on Foreign Affairs, he is the author of this bill, and his service to our Nation includes the time he spent as an Air Force pilot serving in Iraq and in Afghanistan.

Mr. KINZINGER. Mr. Speaker, I thank the chairman for yielding and for his many years of service.

I rise today in strong support of H.R. 4591, the Preventing Destabilization of Iraq of 2018, which I introduced with my colleague, Representative SUOZZI.

Since the toppling of Saddam Hussein, Iran has been working to gain access and influence in Iraq by dismantling American efforts to stabilize the country and the region. It is abundantly clear that Iran is working to gain influence in Iraq to further their radical agenda, and we must do everything in our power to counter their tyrannical regime and provide hope for the Iraqi people.

I am troubled by the growing influence of Iranian-backed Popular Mobilization Forces, which are being set up as a parallel military structure to undermine the Iraqi security forces.

Just this week, we saw the head of a powerful PMF, which would be sanctioned under this legislation, demanding that the Iraqi Government allow these militias to secure the border with Syria. Not only would this legitimize the PMF, but it would also give the Iranians one of their greatest desires, a secure land bridge to supply weapons and troops from Tehran to the Mediterranean.

Over the past few months, we have seen the security situation in Iraq slip further into despair. The U.S. compounds in Baghdad and Basra were attacked by Iranian-backed groups, resulting in the latter shutting its doors.

I believe retreating will only hurt the Iraqis and make the region a more dangerous place, a lesson that we have already learned once.

Following the elections in Iraq this year, we saw Iranian proxies and militias, as well as Iraqis working on behalf of the Iranians, attempting to form a coalition government in Baghdad.

This act, which passed the committee unanimously, would impose sanctions on Iranians or any other person who threatens the peace and stability of Iraq. It will also sanction several terrorist organizations, as well as their leaders, many of which are trained and funded by the Iranian Revolutionary Guard Corps.

Passage of this legislation ensures that the Iranians are not given a free pass to meddle in the affairs of the Iraqi people. I thank all my colleagues for their work on this legislation.

Mr. ENGEL. Mr. Speaker, it is now my pleasure to yield 4 minutes to the gentleman from New York (Mr. SUOZZI), an original cosponsor of the bill.

Mr. SUOZZI. Mr. Speaker, I thank Ranking Member ENGEL and Chairman ROYCE for their bipartisan cooperation in this committee, and I thank Representative KINZINGER for his leadership on promoting stability in the Middle East overall.

Mr. Speaker, I stand in support of the bipartisan H.R. 4591, the Preventing Destabilization of Iraq Act of 2018.

At the 2018 United Nations General Assembly, Iranian President Rouhani spoke against foreign interventions and impositions of "alien wishes of the people of the region." Iran's Foreign Minister Javad Zarif complained about countries that support "nonstate actors who wreak havoc through terror." They both might want to look in the mirror.

In Iraq, Iranian-backed militias have committed human rights abuses for years, executing and beating civilians and looting homes. These same militias have taken roles in trying to influence Iraq's nascent political system.

In Iraq's recent elections, IRGC Commander Qasem Soleimani personally meddled in Iraq's political process by coercing Shiite parties with differing views to form a parliamentary majority, one that presumably would favor

Iran's agenda. This, of course, is only one example of Iranian activities across the Middle East.

In Syria, Iranian-backed militias have done their own share of murdering and looting. In Yemen, the Iranian-backed Houthis oppress their own people and fire ballistic missiles at civilians in Saudi Arabia. From Bahrain to Lebanon, Iran has played a destabilizing role.

H.R. 4591 would sanction any foreign person, not just Iranians, conducting significant destabilizing activities in Iraq.

Corruption is endemic and rampant in Iraq's political system. Iraq's long-term stability depends on a representative government that reflects the will of the people.

This bill requires our government to review the status of two of Tehran's proxies in Iran, HHN and AAH, and assess whether the State Department should designate them as foreign terrorist organizations.

By 2011, AAH claimed responsibility for thousands of attacks on U.S. and coalition forces, including the tragic 2007 attack on the Karbala provincial headquarters, which resulted in the execution of four Americans. The group is notorious for its use of explosively formed penetrators, the devastating IEDs that have killed and maimed far too many American troops and civilians.

HHN, a hybrid of fighters from AAH and Hezbollah Brigades of Iraq, played an active role against Americans during the Iraq war, and now in Syria's civil war, boasting of a unit in the Golan Heights targeting Israel.

These groups claim they exist to protect Iraqis, but as the evidence clearly demonstrates, they terrorize their countrymen and innocents across the region.

But these militias are not the only security threat in Iraq. Although the Islamic State has largely been driven from Iraq, the country still faces a myriad of economic and political challenges. Left unaddressed, Iraq could once again destabilize, creating a void for ISIS or other extremists to fill and, once again, throw the region into chaos and turmoil.

This summer, citizens of Basra, Iraq's second largest city, openly protested the corruption and mismanagement that has tainted their water supply and left their electrical grid in tatters. They directed some of their anger at the Iranian-backed militias that have enriched themselves while ordinary Iraqis suffered.

The Iraqi Government cannot provide the services its citizens so desperately need while so much power is controlled by the militias. We need to stand with and aid Iraqis that merely want to root out corruption and malign foreign interference in their internal affairs.

For these reasons, I urge my colleagues to support H.R. 4591.

Mr. ROYCE of California. Mr. Speaker, I yield 2 minutes to the gentle-

woman from Florida, ILEANA ROS-LEHTINEN, chairman emeritus of the Foreign Affairs Committee, who chairs the Subcommittee on the Middle East and North Africa.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the chairman, Chairman ROYCE, and I commend both the Speaker and Ranking Member ENGEL. I am going to miss serving with you, ELIOT, as Chairman ROYCE and I say bye-bye in just a few weeks. But I thank them for always bringing to the floor bipartisan bills that make America a stronger place.

Mr. Speaker, I rise in strong support of Mr. KINZINGER's bill, H.R. 4591, the Preventing Destabilization of Iraq Act of 2018. This timely bill will impose sanctions against a multitude of Iranian militias, proxies, terrorist groups, and other nefarious entities that are operating in Iraq. And it makes it clear that the United States will not allow Iran to continue undermining the stability of Iraq.

This bill also includes important language authored by our presiding officer, Judge POE, ensuring that the State Department determines that if certain Iranian-affiliated individuals are operating as terrorists, then they should be designated as terrorists.

It further includes language by our great friend Congressman JOE WILSON of South Carolina, requiring a determination on whether Afghan and Pakistani brigades, under the control of the Iranian Revolutionary Guard Corps, should also be designated.

This is common sense, Mr. Speaker. As ADAM KINZINGER knows firsthand, Iran has been working against U.S. interests in Iraq for years, and it is directly responsible for American casualties and is intent on continuing to destabilize Iraq for its own purposes.

We have to ensure that there are penalties for Iran's activities by doing everything that we can to block their proxies' assets, to cut off their funding, and to restrict their travel.

Mr. Speaker, I thank Mr. ROYCE and Mr. ENGEL. As we know, Iraq is a very important partner. This bill prioritizes its stability, and I thank the sponsor, Mr. KINZINGER, for authoring this bill. I encourage all of my colleagues to support it.

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

This is both a happy and sad moment for me. I am happy because, in the new Congress, I will be in the majority. But I am sad because so many of my friends are retiring, not coming back.

I mentioned my good friend Mr. POE before, and I just want to mention our now Speaker up here, my good friend, ILEANA ROS-LEHTINEN. We have been working together for more than 25 years in passing all kinds of important legislation involving people's support around the world, making lives a little bit better for people, and working here to promote democracy at home.

I want to have the opportunity to say that this Congress will be missing you.

I know I will be missing you, and I know we will be in touch. You are the kind of Member that we need more of, someone who always reached across the aisle, someone who always worked in a bipartisan manner, and someone who was effective and intelligent. I am just proud to call you my friend. I had to say that.

So I am going to close and say that Iraq is at a crossroads.

We have another speaker? I am sorry. I reserve the balance of my time.

Mr. ROYCE of California. Madam Speaker, I yield 2 minutes to the gentleman from Texas, Judge TED POE, chairman of the Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade.

Mr. POE of Texas. Madam Speaker, I want to reiterate that when the Foreign Affairs Committee meets and makes a decision, we do that almost in unison, Republicans and Democrats, looking out for the best foreign policy of the United States. And Chairman ROYCE and Mr. ENGEL, Chairman ENGEL, will do a great job in leading that effort, as you have done in the past when you were chair of the Foreign Affairs Committee.

I am proud to support Representative KINZINGER's bill, the Preventing Destabilization of Iraq Act of 2018.

For too long, Iraq has been the center of chaos and instability in the Middle East. While much of this is due to terrorist groups, its expansionist, saber-rattling neighbor to the east also bears enormous responsibility for undermining Iraq's sovereignty and security.

Iran is determined, in my opinion, to make Iraq a puppet state of its tyranny. For years, Iran has armed and financed thousands of Iraqi militia fighters loyal to Tehran to spread its influence and fight its foreign wars. Many of these militiamen have American blood on their hands as well as their own countrymen's.

Earlier this year, Iran's proxies in Iraq seized more seats in Iraq's parliament and used violence to crush anti-Iranian protests.

This legislation codifies crucial authorities to target Iran's destabilizing activity.

□ 1730

The bill also includes parts of my Iranian Proxies Terrorist Sanctions bill, which calls for the designation of two of the deadliest Iraqi militia groups backed by Iran: AAH and HHN.

These killers have attacked Americans, including firing rockets at U.S. diplomatic facilities in Iraq as recently as this past August.

They have participated in Bashar al-Assad's slaughter of the Syrian people and expressed a desire to attack Israel. War is in the mind of the Ayatollah.

We must battle Iran in the arenas it hopes to control. Iraq is one of those key arenas.

This legislation is a step towards confronting Iran's conquest of the Middle East.

Madam Speaker, I urge my colleagues to vote for this important legislation and for the Senate to quickly bring it to the floor to help stop Iran, the world's number one state sponsor of terror, from spreading its violent hate.

And that is just the way it is, Madam Speaker.

Mr. ENGEL. Madam Speaker, I yield myself such time as I might consume.

Madam Speaker, it seems like we are playing revolving or musical chairs, but it is so good, because I get to see all my friends from different angles.

Madam Speaker, Iraq is at a crossroads. And as someone who wants to see Iraq succeed in promoting pluralism and tolerance, I support this legislation because it will help Iraqis build a better future.

This bill makes it clear that the United States will not side with those who continue to foment sectarian strife. No matter where you are from, if you undermine the democratic process in Iraq, if you threaten peace and stability there, if you prevent the delivery of humanitarian assistance to the Iraqi people, you will be penalized. That is why this bill is so important.

Mr. Speaker, I urge my colleagues to pass H.R. 4591 and I yield back the balance of my time.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

In closing, Mr. Speaker, I would like to thank my colleagues for their bipartisan work on this important legislation. This measure will send a clear message to the Iraqi people that the U.S. supports them in their quest for peace and stability and democracy.

Still recovering from the atrocities and desolation left by ISIS, the Iraqi people deserve a chance to establish a stable democracy free of Iranian meddling.

To be clear, these Iranian-backed militias are not just a threat to the Iraqi people. These same militias have launched mortars at the U.S. Embassy in Baghdad and continue to threaten Israel. It is well past the time that these militias face justice and accountability for their war crimes.

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

The SPEAKER pro tempore (Mr. POE of Texas). The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 4591, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DEMOCRATIC REPUBLIC OF THE CONGO DEMOCRACY AND ACCOUNTABILITY ACT OF 2018

Mr. ROYCE of California. Mr. Speaker, I move to suspend the rules and

pass the bill (H.R. 6207) to support democracy and accountability in the Democratic Republic of the Congo, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6207

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 “Democratic Republic of the Congo Democracy and Accountability Act of 2018”.

SEC. 2. SENSE OF CONGRESS.

(a) IN GENERAL.—It is the sense of Congress that—

(1) the Democratic Republic of Congo has historically faced election-related political instability, endemic corruption, armed conflict, gross human rights abuses, and humanitarian crises, which destabilizes the region and causes massive human suffering;

(2) the United States has provided billions of dollars to help stabilize the Democratic Republic of the Congo, including through humanitarian aid, development assistance, and support for peacekeeping operations, since the end of the civil and regional war in 2003;

(3) the stability of the Democratic Republic of the Congo is a strategic priority for the United States on the African continent and it is in the national security interest of the United States to support accountable governance in the Democratic Republic of Congo;

(4) United States policy with respect to the Democratic Republic of Congo should focus on helping the country become more stable and democratic, including through supporting legitimate state authority, such that the Government of the Democratic Republic of Congo is better able to respond to and provide for the basic needs of its citizens and live in peaceful coexistence with its neighbors;

(5) the Government of the Democratic Republic of Congo should comply with all obligations under its Constitution, the International Covenant on Civil and Political Rights ratified on November 1, 1976, and the December 2016 Saint Sylvestre agreement brokered by the Congolese Conference of Catholic Bishops, by—

(A) immediately lifting restrictions on the freedoms of assembly, expression, and association;

(B) releasing all political prisoners, including those detained for peacefully exercising their rights;

(C) ensuring that state security forces protect the rights of peaceful demonstrators;

(D) bringing to justice security force personnel accused of serious abuses against citizens, including against protesters or opposition supporters; and

(E) allowing private media outlets to operate freely;

(6) the United States should continue to support efforts to hold free, fair, and democratic elections in the Democratic Republic of the Congo, including by supporting the completion of an inclusive, transparent voter registration process and civic education, preventing or mitigating violence, and facilitating credible election observation by the African Union, the Southern African Development Community, and other appropriate civil society entities.

(b) SENSE OF CONGRESS ON HUMANITARIAN ASSISTANCE FOR THE PEOPLE OF THE DEMOCRATIC REPUBLIC OF THE CONGO.—It is the sense of Congress that the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, should continue to

provide humanitarian and development assistance to the people of the Democratic Republic of the Congo through credible and independent nongovernmental organizations, including local partners, human rights organizations, women-led organizations, and faith-based or non-faith-based organizations. In providing such assistance, the Secretary and Administrator should prioritize—

(1) promoting partnerships with organizations that have had a long-term presence in the country and have achieved measurable impact, including by building the capacity of local partners, human rights organizations, women-led organizations, or faith-based or non-faith-based organizations to address local needs;

(A) placing the country on a trajectory toward ending the need for foreign assistance; and

(2) evaluating the comparative merits of grants, cooperative agreements, contracts, and other methods for providing foreign assistance.

(c) SENSE OF CONGRESS ON SUPPORT FOR DEMOCRATIC GOVERNANCE AND CONFLICT MITIGATION MECHANISMS IN THE DEMOCRATIC REPUBLIC OF THE CONGO.—It is the sense of Congress that the Secretary of State and the Administrator of the United States Agency for International Development should—

(1) continue to—

(A) support long-term peace and stability in the Democratic Republic of the Congo by strengthening democratic institutions and promoting respect for the rule of law at the national, provincial, and local levels;

(B) support the capacity of civil society actors to promote transparency, accountability, freedom of expression, and anti-corruption efforts;

(C) support conflict prevention and mitigation activities where appropriate, particularly in the Kasai region, the Tanganyika Province, the North and South Kivu Provinces, and the Ituri Province; and

(D) work to address the root causes of chronic violence and fragility, with a focus on youth empowerment, education, and the promotion of justice and accountability mechanisms; and

(2) seek to work directly with and through credible, independent, nongovernmental organizations, including local partners, human rights organizations, women-led organizations, and faith-based or non-faith-based organizations, to—

(A) defend internationally recognized democratic rights;

(B) support freedom of expression, including through media broadcasting;

(C) combat public corruption; and

(D) improve the transparency and accountability of governing institutions in the Democratic Republic of the Congo.

SEC. 3. SUPPORT FOR EFFORTS AT THE UNITED NATIONS ON THE DEMOCRATIC REPUBLIC OF THE CONGO.

The President should instruct the Permanent Representative of the United States to the United Nations to use the voice, vote, and influence of the United States at the United Nations to—

(1) emphasize the importance of implementing the December 2016 Saint Sylvestre agreement to the Government of the Democratic Republic of the Congo, including the need to lift restrictions on the freedoms of assembly, expression, and association, and the need to conduct free, fair, and democratic elections;

(2) keep the humanitarian and political crisis in the Democratic Republic of the Congo on the regular agenda of the United Nations Security Council until the completion of a peaceful transfer of power through free, fair, and democratic elections;

(3) ensure that the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo has an appropriately focused mandate tailored to security and governance conditions on the ground with a particular focus on civilian protection, and that the mission has sufficient means, including specialized personnel and effective leadership, to execute its mandate; and

(4) improve Member states' implementation of United Nations Security Council-imposed sanctions on individuals and entities violating the United Nations arms embargo, threatening the peace and security of the Democratic Republic of the Congo, engaging in human or resource trafficking, or perpetrating gross human rights violations in the Democratic Republic of the Congo.

SEC. 4. CODIFICATION OF SANCTIONS RELATING TO THE DEMOCRATIC REPUBLIC OF THE CONGO.

(a) IN GENERAL.—United States sanctions provided for in Executive Order 13671 (79 Fed. Reg. 39947; relating to taking additional steps to address the national emergency with respect to the conflict in the Democratic Republic of the Congo) and Executive Order 13413 (71 Fed. Reg. 64103; relating to blocking property of certain persons contributing to the conflict in the Democratic Republic of the Congo), as amended by Executive Order 13671 (79 Fed. Reg. 39947; relating to taking additional steps to address the national emergency with respect to the conflict in the Democratic Republic of the Congo), as in effect on the day before the date of the enactment of this Act, shall remain in effect for the 5-year period beginning on such date of enactment unless the President determines and certifies to the appropriate congressional committees that the Government of the Democratic Republic of the Congo—

(1) is making significant progress towards holding free and fair elections and respecting the freedoms of press, expression, and assembly, as described in the December 2016 Saint Sylvestre agreement and in United Nations Security Council Resolution 2348 (2017); or

(2) has held free and fair presidential elections in accordance with the Constitution of the Democratic Republic of the Congo and a democratically elected President has been sworn in and taken office.

(b) RULE OF CONSTRUCTION.—Nothing in this section may be construed to limit the authorities of the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) or any other provision of law.

(c) LIST OF SENIOR POLITICAL FIGURES.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a list of each senior foreign political figure, as such term is defined in section 1010.605 of title 31, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act), of the Government of the Democratic Republic of the Congo.

(d) ADDITIONAL SANCTIONS DETERMINATION REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report listing each person included in the list required by subsection (c) that the President determines meets the criteria to be sanctionable pursuant to one or more of the following:

(1) Executive Order 13671 (79 Fed. Reg. 39947; relating to taking additional steps to address the national emergency with respect to the conflict in the Democratic Republic of the Congo).

(2) Executive Order 13413 (71 Fed. Reg. 64103; relating to blocking property of certain persons contributing to the conflict in the Democratic Republic of the Congo).

(3) Executive Order 13818 (82 Fed. Reg. 60839; relating to blocking the property of persons involved in serious human rights abuse or corruption).

(4) Paragraph (3) or (4) of section 1263(a) of the National Defense Authorization Act for fiscal year 2016 (22 U.S.C. 2656 note).

(e) REPORT ON HUMAN RIGHTS ABUSES AND CORRUPTION IN THE DEMOCRATIC REPUBLIC OF THE CONGO.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of the Treasury, shall submit to the appropriate congressional committees a report describing each of the following:

(1) The extent to which government officials in the Democratic Republic of the Congo, including members of the military and security services, are responsible for or complicit in human rights abuses against civilians, including by deliberately impeding humanitarian access to civilians.

(2) The methods used to transfer and conceal financial assets of senior officials of the Government of the Democratic Republic of the Congo that are acquired through acts of corruption.

(3) United States actions to combat such corruption, which could include the issuance of a FinCEN Advisory by the Department of the Treasury or the imposition of targeted sanctions.

(4) To what extent and in what manner such corruption threatens the security of the surrounding region or United States national security interests.

(5) Any assistance provided by the United States to facilitate oversight, transparency, and adherence to due diligence and accountability measures within the Democratic Republic of the Congo's minerals, forestry, and agribusiness sectors.

(f) FORM; PUBLIC AVAILABILITY.—

(1) FORM.—The list required by subsection (c) and the reports required by subsections (d) and (e) shall be submitted in unclassified form but may contain a classified annex.

(2) PUBLIC AVAILABILITY.—The unclassified portion of the report required by subsection (e) shall be published on a publicly available website of the Department of State.

(g) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives; and

(2) the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Banking, Housing, and Urban Affairs of the Senate.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on this bill.

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

There was no objection.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this bill. This is the Democratic Republic of

the Congo Democracy and Accountability Act.

Mr. Speaker, I would begin by thanking Congressman SMITH and Congresswoman KAREN BASS, they are the chairman and ranking member of the Africa Subcommittee, and I thank the ranking member of this committee, Mr. ENGEL, for their work on this bipartisan legislation.

Long overdue elections in the Democratic Republic of the Congo are scheduled now for December 23, 2018. But we all know that simply holding elections is not enough.

President Kabila already has remained in power 2 years past his constitutional mandate. And while I am pleased that he will reportedly step aside, the corruption of the Kabila government runs much deeper than just the presidency. Government officials and security forces continue to use their positions of power to undermine the election and to stoke instability in the country.

Peaceful protests have been met with violence, with mass arrests. They have even been met with torture. New reports of abuse and intimidation against journalists and against activists by government forces emerge now every day.

Meanwhile, arbitrary legal impediments have barred prominent opposition candidates from running. The government insists on using untested and confusing voting machines, leaving the election vulnerable to vote manipulation and to rigging.

Throughout all of this, the government continues to boycott international efforts to support election preparations and to increase humanitarian assistance, and continues to deny, in the face of serious and mounting evidence, that there is a problem.

I have been on three trips to the Congo over this issue over the years. The people of the Congo are suffering and the humanitarian situation is dire. Over 4 million Congolese are internally displaced. More than 13 million people are in urgent need of humanitarian assistance, including 7 million facing acute food insecurity. And another Ebola outbreak is threatening the lives of thousands.

We know that government security forces are responsible for horrific human rights abuses and for provoking instability across the DRC. Just last year, two researchers were killed investigating human rights abuses in the country. One of these researchers was an American. The government continues to block efforts to fully investigate and hold individuals accountable. This cannot stand.

The U.S. must be fully engaged in support of the Congolese people and their struggle to freely choose their next leader. This legislation we are considering today is a call to action. It requires a determination on individuals responsible for undermining peace and security, impeding the democratic process, committing human rights violations, and engaging in corruption so

that they can be sanctioned. It calls for a focus on those that are blocking the democratic process.

Mr. Speaker, we have seen this sad situation before in the DRC. We have seen instability and conflict spill into neighboring countries and undermine the entire region. We cannot let this cycle continue. A failed election in December would surely inflame the violence. This is why we must take decisive action to hold individuals accountable and ensure free and fair elections this December.

Mr. Speaker, I urge my colleagues to support this measure.

Mr. Speaker, I yield the balance of my time to the gentleman from New Jersey (Mr. SMITH), and I ask unanimous consent that he may control that time.

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

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I rise in support of this measure.

Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. BASS), the lead Democrat on this bill and the ranking member of the Africa Subcommittee.

Ms. BASS. Mr. Speaker, I rise today to strongly support H.R. 6207, the Democratic Republic of the Congo Democracy and Accountability Act of 2018.

I am proud to be a cosponsor of this important piece of legislation that seeks to promote free and fair elections in the DRC by imposing sanctions on high level individuals who are undermining democratic processes and institutions in the country as well as those who are responsible for extrajudicial killings and have engaged in public corruption.

The DRC has the potential to be one of the richest countries on Earth. It has abundant deposits of copper, gold, diamonds, cobalt, and many other minerals. The Congo River is the second largest river in the world and the most powerful river in Africa, making way for enormous potential to generate hydroelectric power, and some scientists say it could provide enough power for all of sub-Saharan Africa's electricity needs. DRC also has great agricultural potential, with its 80 million hectares of arable land, climate conditions, and water resources.

This country has all the conditions to thrive and flourish, but it has not. Instead, continued delays in holding elections have increased tensions and unrest. Ongoing conflict in many parts of the country has resulted in hundreds of thousands of internally displaced persons and refugees. The country is in a human rights crisis, and on top of all of this, the DRC is suffering from an Ebola outbreak. The humanitarian crisis in the DRC has been exacerbated by the political crisis over elections.

With respect to the ongoing political situation, the current crisis in the DRC started in 2015 when President Kabila, who is constitutionally barred from re-election, deliberately stalled planned elections. President Kabila remained in post, although his second constitutional term ended in 2016.

Since then, the political situation has steadily declined. The Congolese government and security forces have cracked down on anti-government mobilization through excessive use of force on peaceful protesters, shut down media outlets, and targeted arrests of activists.

In August 2018, President Kabila finally said he would uphold the constitution and not stand for a third term. Even with this announcement, the pre-electoral environment remains tense and unsafe for activists, journalists, political opposition, and religious leaders.

Additionally, according to Human Rights Watch and Amnesty International, just this month the government made a new round of arrests of pro-democracy activists ahead of presidential elections scheduled for December 23. This heavy-handed display of police and government security forces ahead of the long-awaited presidential election undermines and threatens people's ability to freely participate in the electoral process.

The government must immediately release all people arbitrarily detained for peacefully protesting, including the numerous pro-democracy activists, political opposition leaders, and journalists.

Finally, the government must investigate and hold to account those responsible for human rights violations, including arbitrary arrests and detention, torture, and other serious abuses.

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

Mr. ENGEL. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from California (Ms. BASS).

Ms. BASS. Mr. Speaker, this legislation is extremely important for addressing conditions in the DRC, but it is also important for sending a message to the world that the United States has not retreated from its commitment to protect human rights and advance democracy around the world.

The late former U.N. Secretary General, Kofi Annan, and nine former African presidents said Congo's future "is in grave danger."

"We are deeply concerned about the political situation in the Democratic Republic of Congo [DRC], which represents a threat to the stability, prosperity and peace of the Great Lakes region. . . ."

Mr. Speaker, the situation in the DRC is deteriorating as we speak. It is time we act.

Following a call from the region, please join my colleagues CHRIS SMITH, Chairman ED ROYCE, and Ranking Member ELIOT ENGEL, and I, and support this bill that supports human

rights, democracy, and accountability in the Democratic Republic of the Congo.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

I urge my colleagues to support the Democratic Republic of the Congo Democracy and Accountability Act of 2018.

Mr. Speaker, I want to thank Chairman ROYCE and Ranking Member ENGEL for their very strong support of this legislation and for their strong statements today.

I think this is, again, another example of bipartisan legislation and the House uniting over a very egregious situation that is occurring in the DRC.

I would point out to my colleagues that I have visited the DRC myself, been to Kinshasa, the capital, raised a number of human rights issues when I was there.

But I also traveled to Goma, where there was terrible acts of bloodshed committed by both the government troops. As well as those that were combating the government, and even terrible acts by the peacekeepers, the U.N. peacekeepers, some years ago, where they were complicit in human trafficking, particularly of little children.

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In my subcommittee, I chaired four hearings on this horrible practice of the peacekeepers themselves causing such violence against kids. There is now a much better situation, but it is still awful, and, again, we are now facing another serious crisis.

I would also point out to my colleagues that KAREN BASS and I had a trip planned to Kinshasa for August 24 and 25. We made part of that trip where we went to Ethiopia, but we were denied visas. We could not get visas to go to the DRC. We wanted to raise issues with Kabila, himself, with regards to the election and human rights abuse. We were denied that by not getting a visa.

This bill could not be more timely. Indeed, there is an urgent need to focus attention on the DRC, a strategically located, resource-rich country, which has been misgoverned for much of its history and again is in crisis today.

The wonderful people of the DRC deserve better, far better than they have gotten from the Kabila regime. Next month, just before Christmas, the country is scheduled to vote to replace Joseph Kabila, who has retained power in defiance of constitutional term limits for some 2 years beyond his mandate.

Right now, there is talk of further postponement of the election, which would accord with Kabila's desire to postpone a transfer of power for as long as possible. If such a delay occurs, it would be attributable to the obstacles placed by the Kabila government to holding a free and fair election.

This bill before us today shows congressional resolve that there be accountability and codifies three executive orders by three Presidents: President Bush, President Obama, and President Trump.

It points out that there needs to be significant progress towards holding free and fair elections or else they will not be lifted, and it does so for 7 years. We are talking about respecting fundamental freedoms of the press, expression, and assembly, as described in the December 2016 Saint Sylvestre agreement and in U.N. Security Council Resolution 2348.

It also points out that there needs to be, in the legislation, a free and fair Presidential election in accordance with the constitution of the DRC and that a democratically elected President has been sworn in and taken office.

It also supports the humanitarian and accountability efforts of civil society groups pushing back against civil strife and political repression. In particular, it acknowledges the role of the faith community and the Catholic Church, which educates and heals the Congolese people through its schools and hospitals, while upholding the need for the rule of law and respect for constitutional principles in the DRC.

Indeed, the Congolese Conference of Catholic Bishops, known as CENCO, has played a singular role in promoting restoration of democracy and respect for fundamental civil and political rights, including brokering the December 2016 Saint Sylvestre agreement.

Mr. Speaker, this is a critical time for the DRC. We have an emerging Ebola crisis in the eastern part of the country. I note that, over the weekend, our Embassy in Kinshasa was forced to close due to “credible and specific” terror threats. The Embassy will remain closed at least until tomorrow because of those threats and perhaps even beyond that date. We are hurtling towards a political inflection point within the next month, which will either mark a turn towards proper constitutional governance or a downward spiral towards growing chaos and bloodshed.

Mr. Speaker, I urge support for the bill, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of the bill.

Mr. Speaker, I want to thank our staff members who made this bill possible, particularly Lesley Warner of my staff. We traveled to the Congo in 2016 with Chairman ROYCE and had very important meetings there, frustrating but important meetings.

I am proud to be an original cosponsor of this measure.

The Democratic Republic of the Congo, or DRC, borders nine other countries in sub-Saharan Africa, and positive or negative events there often impact the entire region. This is why stability in the DRC is a priority not

for that country’s people, but for many other countries, including the United States. That is why Chairman ROYCE and I led a colod there and why so many of our other members on the Foreign Affairs Committee—Mr. SMITH and Ms. BASS—have been there and have really cared about the region.

For years, the DRC has been on the brink of crisis. More than 13 million people need humanitarian support, including 7.8 million children. Across the country, violent conflicts have intensified, including near the city of Beni, where health workers are battling a deadly Ebola outbreak.

The current government, as my colleagues mentioned before, has shown a concerning disregard for democracy and the country’s constitution, with troubling restrictions on freedom of expression and assembly and disturbing reports of Congolese security forces violating the human rights of peaceful protesters.

Next month, the DRC will hold elections, as my colleagues have mentioned, that were supposed to be held back in December of 2016. It is a critical time for the United States to show that we are committed to the DRC having a peaceful political transition and moving toward accountable, democratic governance.

The Democratic Republic of the Congo Democracy and Accountability Act, this bill, asks the administration to continue providing robust humanitarian and development assistance to the people of the DRC. It also requires the President to submit a report to Congress detailing the extent to which Congolese Government officials are involved in human rights abuses against civilians and codifies previous executive orders that target the property and interests of any persons responsible for actions that threaten the stability of the DRC.

It is important that we continue leading the international community to address the many challenges in the DRC. That is why this bill asks the administration to keep the DRC on the U.N. Security Council agenda and work to ensure the U.N. peacekeeping mission there has sufficient means to operate effectively.

After decades of conflict and instability, the people of the Democratic Republic of the Congo deserve a peaceful democratic transition. By passing this bill today, we show that the House is committed to supporting that process.

Mr. Speaker, it is in the national security interest of the United States to support a peaceful political transition and accountable governance in the DRC. With elections scheduled for next month, this bill comes at a critical time.

Mr. Speaker, I urge all Members to join me in supporting this important legislation, and I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman from

New York for his comments and for his strong support.

Mr. Speaker, this is a true bipartisan bill. Our fingers are crossed for the people of the DRC. They deserve a free and fair election. Whoever emerges as the winner hopefully will take them on a new course.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 6207, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SMITH of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

IRAQ AND SYRIA GENOCIDE RELIEF AND ACCOUNTABILITY ACT OF 2017

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 390) to provide emergency relief for victims of genocide, crimes against humanity, and war crimes in Iraq and Syria, for accountability for perpetrators of these crimes, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendments is as follows:

Senate amendments:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Iraq and Syria Genocide Relief and Accountability Act of 2018”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) *The Secretary of State declared on March 17, 2016, and on August 15, 2017, that Daesh (also known as the Islamic State of Iraq and Syria or ISIS) is responsible for genocide, crimes against humanity, and other atrocity crimes against religious and ethnic minority groups in Iraq and Syria, including Christians, Yezidis, and Shia, among other religious and ethnic groups.*

(2) *According to the Department of State’s annual reports on international religious freedom—*

(A) the number of Christians living in Iraq has dropped from an estimated 800,000 to 1,400,000 in 2002 to fewer than 250,000 in 2017; and

(B) the number of Yezidis living in Iraq has fluctuated from 500,000 in 2013, to between 350,000 and 400,000 in 2016, and between 600,000 and 750,000 in 2017.

(3) *The annual reports on international religious freedom further suggest that—*

(A) Christian communities living in Syria, which had accounted for between 8 and 10 percent of Syria’s total population in 2010, are now “considerably” smaller as a result of the civil war, and

(B) there was a population of approximately 80,000 Yezidis before the commencement of the conflict in Syria.

(4) Local communities and entities have sought to mitigate the impact of violence directed against religious and ethnic minorities in Iraq and Syria, including the Chaldean Catholic Archdiocese of Erbil (Kurdistan Region of Iraq), which has used predominantly private funds to provide assistance to internally displaced Christians, Yezidis, and Muslims throughout the greater Erbil region, while significant needs and diminishing resources have made it increasingly difficult to continue these efforts.

SEC. 3. DEFINITIONS.

In this Act:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on the Judiciary of the Senate;

(C) the Committee on Homeland Security and Governmental Affairs of the Senate;

(D) the Committee on Appropriations of the Senate;

(E) the Select Committee on Intelligence of the Senate;

(F) the Committee on Foreign Affairs of the House of Representatives;

(G) the Committee on the Judiciary of the House of Representatives;

(H) the Committee on Homeland Security of the House of Representatives;

(I) the Committee on Appropriations of the House of Representatives; and

(J) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) **FOREIGN TERRORIST ORGANIZATION.**—The term “foreign terrorist organization” mean an organization designated by the Secretary of State as a foreign terrorist organization pursuant to section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)).

(3) **HUMANITARIAN, STABILIZATION, AND RECOVERY NEEDS.**—The term “humanitarian, stabilization, and recovery needs”, with respect to an individual, includes water, sanitation, hygiene, food security and nutrition, shelter and housing, reconstruction, medical, education, psychosocial needs, and other assistance to address basic human needs, including stabilization assistance (as defined by the Stabilization Assistance Review in “A Framework for Maximizing the Effectiveness of U.S. Government Efforts to Stabilize Conflict-Affected Areas, 2018).

(4) **HYBRID COURT.**—The term “hybrid court” means a court with a combination of domestic and international lawyers, judges, and personnel.

(5) **INTERNATIONALIZED DOMESTIC COURT.**—The term “internationalized domestic court” means a domestic court with the support of international advisers.

SEC. 4. STATEMENT OF POLICY.

It is the policy of the United States to ensure that assistance for humanitarian, stabilization, and recovery needs of individuals who are or were nationals and residents of Iraq or Syria, and of communities in and from those countries, is directed toward those individuals and communities with the greatest need, including those individuals from communities of religious and ethnic minorities, and communities of religious and ethnic minorities, that the Secretary of State declared were targeted for genocide, crimes against humanity, or war crimes, and have been identified as being at risk of persecution, forced migration, genocide, crimes against humanity, or war crimes.

SEC. 5. ACTIONS TO PROMOTE ACCOUNTABILITY IN IRAQ FOR GENOCIDE, CRIMES AGAINST HUMANITY, AND WAR CRIMES.

(a) **ASSISTANCE.**—The Secretary of State and the Administrator of the United States Agency

for International Development are authorized to provide assistance, including financial and technical assistance, as necessary and appropriate, to support the efforts of entities, including nongovernmental organizations with expertise in international criminal investigations and law, to address genocide, crimes against humanity, or war crimes, and their constituent crimes by ISIS in Iraq by—

(1) conducting criminal investigations;

(2) developing indigenous investigative and judicial skills, including by partnering, directly mentoring, and providing necessary equipment and infrastructure to effectively adjudicating cases consistent with due process and respect for the rule of law; and

(3) collecting and preserving evidence and the chain of evidence, including for use in prosecutions in domestic courts, hybrid courts, and internationalized domestic courts, consistent with the activities described in subsection (b).

(b) **ACTIONS BY FOREIGN GOVERNMENTS.**—The Secretary of State, in consultation with the Attorney General, the Secretary of Homeland Security, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation, shall encourage governments of foreign countries—

(1) to include information in appropriate security databases and security screening procedures of such countries to identify suspected ISIS members for whom credible evidence exists of having committed genocide, crimes against humanity, or war crimes, and their constituent crimes, in Iraq; and

(2) to apprehend and prosecute such ISIS members for genocide, crimes against humanity, or war crimes, as appropriate.

(c) **CONSULTATION.**—In carrying out subsection (a), the Secretary of State shall consult with and consider credible information from entities described in such subsection.

SEC. 6. IDENTIFICATION OF AND ASSISTANCE TO ADDRESS HUMANITARIAN, STABILIZATION, AND RECOVERY NEEDS OF CERTAIN PERSONS IN IRAQ AND SYRIA.

(a) **IDENTIFICATION.**—The Secretary of State, in consultation with the Secretary of Defense, the Administrator of the United States Agency for International Development, and Director of National Intelligence, shall seek to identify—

(1) threats of persecution and other early-warning indicators of genocide, crimes against humanity, and war crimes against individuals who are or were nationals and residents of Iraq or Syria, are members of religious or ethnic minority groups in such countries, and against whom the Secretary of State has determined ISIS has committed genocide, crimes against humanity, or war crimes;

(2) the religious and ethnic minority groups in Iraq or Syria identified pursuant to paragraph (1) that are at risk of forced migration, within or across the borders of Iraq, Syria, or a country of first asylum, and the primary reasons for such risk;

(3)(A) the humanitarian, stabilization, and recovery needs of individuals described in paragraphs (1) and (2), including the assistance provided by the United States and by the United Nations, respectively—

(i) to address the humanitarian, stabilization, and recovery needs of such individuals; and

(ii) to mitigate the risks of forced migration of such individuals; and

(B) assistance provided through the Funding Facility for Immediate Stabilization and Funding Facility for Expanded Stabilization; and

(4) to the extent practicable and appropriate—

(A) the entities, including faith-based entities, that are providing assistance to address the humanitarian, stabilization, and recovery needs of individuals described in paragraphs (1) and (2); and

(B) the extent to which the United States is providing assistance to or through the entities referred to in subparagraph (A).

(b) **ADDITIONAL CONSULTATION.**—In carrying out subsection (a), the Secretary of State shall consult with, and consider credible information from—

(1) individuals described in paragraphs (1) and (2) of such subsection; and

(2) the entities described in paragraph (4)(A) of such subsection.

(c) **ASSISTANCE.**—The Secretary of State and the Administrator of the United States Agency for International Development are authorized to provide assistance, including financial and technical assistance as necessary and appropriate, to support the entities described in subsection (a)(4)(A).

SEC. 7. REPORT.

(a) **IMPLEMENTATION REPORT.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees that includes—

(1) a detailed description of the efforts taken, and efforts proposed to be taken, to implement the provisions of this Act;

(2) an assessment of—

(A) the feasibility and advisability of prosecuting ISIS members for whom credible evidence exists of having committed genocide, crimes against humanity, or war crimes in Iraq, including in domestic courts in Iraq, hybrid courts, and internationalized domestic courts; and

(B) the measures needed—

(i) to ensure effective criminal investigations of such individuals; and

(ii) to effectively collect and preserve evidence, and preserve the chain of evidence, for prosecution; and

(3) recommendations for legislative remedies and administrative actions to facilitate the implementation of this Act.

(b) **FORM.**—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex, if necessary.

Amend the title so as to read: “An Act to provide relief for victims of genocide, crimes against humanity, and war crimes who are members of religious and ethnic minority groups in Iraq and Syria, for accountability for perpetrators of these crimes, and for other purposes.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill.

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

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

I rise today to urge strong support for H.R. 390, the bipartisan Iraq and Syria Genocide Relief and Accountability Act.

I want to begin by offering my special thanks to Majority Leader KEVIN MCCARTHY for his strong and sustained support for the victims of genocide, for

this bill, and for the work of his amazing staff, especially Luke Murry, who has done yeoman's work on making sure that this moves forward; Senate Majority Leader MITCH MCCONNELL and his chief of staff, Sharon Soderstrom, for their work; as well as our friends on the Senate side.

I especially want to thank ED ROYCE, our chairman, and Ranking Member ELIOT ENGEL for their wonderful support for this bill, and for all the Members.

I want to thank ANNA ESHOO, who has been tenacious in her support for genocide-targeted communities in Iraq and Syria, and Matt McMurray, her chief of staff, who has also been a great friend to work with on this legislation.

My thanks to Mary Noonan, my chief of staff; Piero Tozzi, my staff director for the Foreign Affairs Subcommittee; Nathaniel Hurd at the U.S. Helsinki Commission, who has been lead staffer on the bill; David Trimble, senior fellow at the Religious Freedom Institute; and so many others who have been a part of this effort to get this across the finish line.

Mr. Speaker, in September of 2013, I chaired my first of 10 congressional hearings focused in whole or in part on Christians, Yazidis, and other religious and ethnic minorities targeted by ISIS for genocide and other atrocity crimes, frustrated and deeply disappointed that the previous administration was failing to direct aid to these survivors and to support criminal investigations into the perpetrators. Three years later, on September 8, 2016, I introduced H.R. 5961.

It was clear then, as it is now, that local overstretched, underfunded groups on the ground were being forced to fill a huge gap, like the Chaldean Catholic Archdiocese of Erbil in the Kurdistan region of Iraq, supported by the Knights of Columbus under the extraordinary leadership of Carl Anderson and by Aid to the Church in Need. To date, the Knights of Columbus has contributed \$20 million and Aid to the Church in Need has contributed more than \$60 million to the response for these people who are the survivors of genocide. Without this support from private charities, Mr. Speaker, many people, especially children, would have died or have been afflicted with serious disease or disability.

Where was the United States? Nowhere to be found.

Just before Christmas of 2016, I led a delegation to Erbil at the invitation of the Chaldean Archbishop of Erbil, Bashar Warda, who was heroically leading the effort to sustain more than 70,000 Christians who had fled ISIS, as well as some Yazidis and Muslims.

There I met with genocide survivors, almost all of whom told me that they had family members who were murdered, tortured, beaten, and raped by ISIS. Their stories were tragic beyond words and heartbreaking beyond words, but members of my delegation and I were in awe of their deep and abiding

faith in God, their resiliency, and their courage. They simply would not quit. They would move on and try to live a life and try to thrive.

We visited a camp of 6,000 internally displaced persons, managed by the archdiocese, that the U.S. Government had not even visited until just before our trip in 2016, even though it was only 10 minutes away from the consulate. I was told I shouldn't go because it was too dangerous. I asked, "Was there a specific threat?" and there wasn't.

When we got there, we were met by about 250 to 300 children, all about fourth or fifth graders or thereabouts, singing Christmas carols, and I felt, "Boy, that is a real threatening situation." It was foolish in the extreme.

They needed our help. They were not getting enough food. They were not getting enough medicine, and their shelter was very meager, to say the least.

On January 10, 2017, I introduced H.R. 390, a stronger version of the previous bill. The House unanimously passed it—again, totally bipartisan—on June 6. On October 11, the Senate passed it with a slightly amended version, which is why it is here before the House today for reconsideration.

□ 1800

H.R. 390 authorizes the Administrator of the U.S. Agency for International Development and the Secretary of State to direct humanitarian, stabilization, and recovery assistance to these communities to enable them to survive and someday thrive in Iraq and Syria.

It also authorizes the Secretary and the Administrator to fund entities conducting criminal investigations into ISIS perpetrators who committed atrocity crimes in Iraq. The evidence these entities collect and preserve will be used to apprehend, prosecute, and convict perpetrators in a range of court settings.

We have learned from the courts in Rwanda, in Sierra Leone, as well as the court in Yugoslavia, you have to capture this information. You have to get the testimonies from survivors and eyewitnesses to effectuate effective prosecutions.

The surviving religious and ethnic communities have begun to receive some targeted aid from the United States under the leadership of Vice President PENCE, USAID Administrator Green, and Secretary Pompeo. The governments of Hungary and Poland, as well, have stepped up to provide assistance to those in need.

However, we have to move quickly on this bill and on implementation on this. As Archbishop Warda, the head of Chaldean Catholic Church there, told me today: "Christians in Iraq are still at the brink of extinction. H.R. 390 is vital to our survival. If it becomes law, implementation must be full and fast. Otherwise, the help it provides will be too late for us."

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

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

Mr. Speaker, I rise to support this measure. A huge amount of work has gone into this bill. I especially thank Representative SMITH of New Jersey, who has been a tireless advocate on behalf of victims of genocide. He always has been, and he always will be.

His efforts have helped to ensure that religious minorities still have a place in Iraq and Syria, that their presence remains part of the fabric of the Middle East.

ISIS sought to eliminate religious minorities. That is why Congress fought to designate the crimes against them genocide.

The House Foreign Affairs Committee has heard hours upon hours of testimony from genocide victims: a Yazidi man recounting the beheading of thousands of Yazidi fighters, women who detailed gang rape and sex slavery. We heard from a number of survivors that international assistance was not moving quickly enough to get people resettled in their homes and communities of origin.

This bill would help to ease those people's suffering and bring to justice those who are responsible. It would authorize assistance for groups investigating and prosecuting crimes against humanity and war crimes. And it would require our government to identify those who are vulnerable to genocide and war crimes, to help with their recovery and stability in the future.

This bill will be an important tool in reaching our goal in Iraq and Syria, preventing the resurgence of ISIS. We cannot allow this barbaric group to take over territory or control people ever again.

In Iraq, this means addressing the root causes of conflict that motivated people to join an extremist organization like ISIS in the first place.

It also means pushing back on Iranian influence because Iran envisions an Iraq overcome by sectarian strife and intolerance.

In Syria, that means finding a political solution that does not include Assad.

Bashar al-Assad is a magnet for extremism, and he continues to employ the worst violence against his own people. Since Assad's thugs took the life of the first protester in Syria, more than half a million more Syrians have been killed, and more than 11 million people have lost their homes.

I remain convinced and concerned about what our military is doing in Syria. In the waning days of ISIS in Syria, how do we intend to justify the presence of our military? This is a slippery slope to perpetual American boots on the ground, and we have to be careful.

In addition, if my legislation, the Caesar Syria Civilian Protection Act, becomes law, we can provide the administration the leverage it needs to

push for a political solution to provide justice to Assad's many victims and to prevent the United States from getting further mired into another war in the Middle East.

The only solution to the crisis in Syria is a political solution, and the Caesar Act would help pave a path toward that sustainable, political solution.

I urge the other body to pass the Caesar Syria Civilian Protection Act so we can get it to the President's desk. I believe the other body would pass my bill, but for a single member of that body who is holding it up for reasons which members of both parties don't understand. I urge him to lift that hold so that this bill can become law.

Mr. Speaker, I also urge my colleagues to pass the bill before us today, and I reserve the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN), the chairwoman emeritus of the Foreign Affairs Committee who currently chairs the Subcommittee on the Middle East and North Africa.

Ms. ROS-LEHTINEN. Mr. Speaker, I am so pleased to rise in support of CHRIS SMITH's bill, the Iraq and Syria Genocide Relief and Accountability Act of 2018.

I again thank Chairman ROYCE and our esteemed ranking member, ELIOT ENGEL, for their efforts in bringing this important and bipartisan bill to the floor.

This commonsense bill authorizes Federal agencies to provide assistance to entities that are working to hold accountable those responsible for genocide, for crimes against humanity, and for war crimes in Iraq and Syria.

Over the last 7 years, sadly, ISIS has explicitly targeted and murdered tens, if not hundreds, of thousands of religious and ethnic minorities, mostly Christians and Yazidis in Iraq and Syria.

We need to ensure that the proper people are being held accountable by giving the administration all of the tools that it needs to coordinate with and support the organizations that can identify and can prosecute those responsible.

In addition, Mr. SMITH's bill prioritizes emergency assistance to these religious and ethnic minority groups that are targeted by ISIS and continue to face persecution.

Syrians remain in desperate need of humanitarian assistance, of stabilization assistance. We must ensure that these religious and ethnic minorities are getting the help they desperately need.

I thank my colleague, CHRIS SMITH, such a strong human rights defender, for authoring this important bill and giving this authority to the administration. I urge all of my colleagues to give it their strong bipartisan support.

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

In closing, Mr. Speaker, let me again thank Mr. SMITH and Chairman ROYCE

for their hard work and leadership. The violence and suffering that has overtaken Syria and Iraq in recent years is heartbreaking, and it is infuriating, but we cannot allow the magnitude of the problem to discourage us from trying to work toward a solution step by step.

This bill puts a focus on some of the most vulnerable groups caught up in this crisis. It will help to ease their plight, and it will help to provide them a measure of justice.

Before I close, Mr. Speaker, I again thank you, Mr. POE, for your friendship and for your hard work, and Ms. ROS-LEHTINEN for her friendship and her hard work.

Chairman ROYCE just stepped out, but I want to say that we always talk about the bipartisan work that we have done on the Foreign Affairs Committee. We always say that the Foreign Affairs Committee is the most bipartisan committee in Congress, and it should be. It has to be because partisanship really should stop at the water's edge. When we are talking about global interests, we have the same interests.

That is one of the wonderful things about the Foreign Affairs Committee. I don't know if I will have a chance to say this again in this Congress, so that is why I want to say it now: ED ROYCE has been a magnificent chairman and a magnificent friend. He has led this committee into bipartisanship on virtually all matters involving the global stage, and we have become a more effective committee because of his leadership.

Mr. Speaker, I thank Chairman ROYCE for a job well done. It has been a pleasure serving with him and all the members on the committee.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I will be very brief. I thank, again, ELIOT ENGEL, Chairman ROYCE, and LEANA ROS-LEHTINEN, who is the former chairwoman of the committee. I thank her for her very kind remarks. She has been a leader on human rights herself all over the world, especially with regard to Iran and some of the legislation she has gotten enacted into law. I thank her for that extraordinary leadership.

Again, this is an example of us pulling together and helping a group of people, survivors of ISIS genocide, who are in desperate need of assistance. We are now past the emergency level in most cases.

When we originally introduced the bill, I named it "the emergency." We didn't get it passed fast enough, but there is so much more that remains to be done when it comes to recovery and sustainability of these precious lives that have been so wounded by ISIS through mass murder and genocide, which has been recognized by both the Obama administration and the Trump administration.

So this is an idea whose time has come, and my hope is that it will be implemented faithfully and aggressively from the moment it is signed.

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

Mr. ROYCE of California. Mr. Speaker, I want to begin by recognizing the efforts of Mr. SMITH, Chair of the Subcommittee on Africa, Global Health and Global Human Rights, and Ranking Member ENGEL for their strong leadership on this critical issue.

Mr. Speaker, for seven years, the world has watched the brutal dictator Assad inflict untold suffering on the Syrian people. Since the beginning of the conflict, half a million people have been killed and 13 million—largely women and children—remain in dire need of basic humanitarian assistance in Syria.

Over the course of this deadly conflict, we have seen Assad and his backers—Russia in the air, and Iran on the ground—commit atrocious war crimes, including using chemical weapons on civilians. I am sure I am not the only one who will never forget the footage shown before our Committee of a Syrian doctor trying to revive two young children, foaming at the mouth, after chlorine bombs rained down on their village; or the testimony of Caesar, a former regime police photographer, who bravely smuggled thousands of images cataloging the gruesome and methodical torture in Assad's prisons out of Syria.

But the brutal Assad regime is not the only terror the Syrian people have had to endure—his brutality paved the way for ISIS to expand in the country as well. Exploiting the chaos created by the conflict in Syria, ISIS burst onto the scene in 2014 by declaring themselves and their supposed "caliphate"—and committing obscene, horrific acts in an effort to spread their nihilistic, death-filled ideology.

Today, thanks to the service of our brave men and women in uniform, ISIS is receding. But we cannot forget the incredible evil they unleashed—while in power, they committed unfathomable violence against Christians and Yazidis in Syria and Iraq, and terrorized the Muslim communities unlucky enough to fall under their "caliphate."

Congress played a critical role in calling these atrocities by their correct name—genocide. This was a very important first step—allowing for assistance to get to minority communities desperately in need. Even now, there is still an urgent need for assistance to these vulnerable communities, which have been devastated by ISIS' efforts to wipe them out. These ancient communities, whose roots go back centuries, include Christians, Yazidis, Assyrians, Syrians, Turkomans, and many others. Their presence in Iraq and Syria is crucial to the social fabric of these nations.

H.R. 390 offers additional, immediate relief for these vulnerable communities and also directs the State Department to do more to support efforts to collect and preserve evidence of "genocide, crimes against humanity, and war crimes" so that someday, justice might be served.

I urge Members to support this bill and send it straight to the President so that the possibility of justice and accountability for these atrocities can give hope to those suffering today.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr.

SMITH) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 390.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendments were concurred in.

A motion to reconsider was laid on the table.

AMENDING THE WHITE MOUNTAIN APACHE TRIBE WATER RIGHTS QUANTIFICATION ACT OF 2010

Mr. SHUSTER. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the House amendment to the bill (S. 140) to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund.

The Clerk read the title of the bill. The text of the Senate amendment to House amendment is as follows:

Senate amendment to House amendment:

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Frank LoBiondo Coast Guard Authorization Act of 2018”.

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.

TITLE I—REORGANIZATION OF TITLE 14, UNITED STATES CODE

- Sec. 101. Initial matter.
- Sec. 102. Subtitle I.
- Sec. 103. Chapter 1.
- Sec. 104. Chapter 3.
- Sec. 105. Chapter 5.
- Sec. 106. Chapter 7.
- Sec. 107. Chapter 9.
- Sec. 108. Chapter 11.
- Sec. 109. Subtitle II.
- Sec. 110. Chapter 19.
- Sec. 111. Part II.
- Sec. 112. Chapter 21.
- Sec. 113. Chapter 23.
- Sec. 114. Chapter 25.
- Sec. 115. Part III.
- Sec. 116. Chapter 27.
- Sec. 117. Chapter 29.
- Sec. 118. Subtitle III and chapter 37.
- Sec. 119. Chapter 39.
- Sec. 120. Chapter 41.
- Sec. 121. Subtitle IV and chapter 49.
- Sec. 122. Chapter 51.
- Sec. 123. References.
- Sec. 124. Rule of construction.

TITLE II—AUTHORIZATIONS

- Sec. 201. Amendments to title 14, United States Code, as amended by title I of this Act.
- Sec. 202. Authorizations of appropriations.
- Sec. 203. Authorized levels of military strength and training.
- Sec. 204. Authorization of amounts for Fast Response Cutters.
- Sec. 205. Authorization of amounts for shore-side infrastructure.
- Sec. 206. Authorization of amounts for aircraft improvements.

TITLE III—COAST GUARD

- Sec. 301. Amendments to title 14, United States Code, as amended by title I of this Act.
- Sec. 302. Primary duties.
- Sec. 303. National Coast Guard Museum.

- Sec. 304. Unmanned aircraft.
- Sec. 305. Coast Guard health-care professionals; licensure portability.
- Sec. 306. Training; emergency response providers.
- Sec. 307. Incentive contracts for Coast Guard yard and industrial establishments.
- Sec. 308. Confidential investigative expenses.
- Sec. 309. Regular captains; retirement.
- Sec. 310. Conversion, alteration, and repair projects.
- Sec. 311. Contracting for major acquisitions programs.
- Sec. 312. Officer promotion zones.
- Sec. 313. Cross reference.
- Sec. 314. Commissioned service retirement.
- Sec. 315. Leave for birth or adoption of child.
- Sec. 316. Clothing at time of discharge.
- Sec. 317. Unfunded priorities list.
- Sec. 318. Safety of vessels of the Armed Forces.
- Sec. 319. Air facilities.

TITLE IV—PORTS AND WATERWAYS SAFETY

- Sec. 401. Codification of Ports and Waterways Safety Act.
- Sec. 402. Conforming amendments.
- Sec. 403. Transitional and savings provisions.
- Sec. 404. Rule of construction.
- Sec. 405. Advisory committee: repeal.
- Sec. 406. Regattas and marine parades.
- Sec. 407. Regulation of vessels in territorial waters of United States.
- Sec. 408. Port, harbor, and coastal facility security.

TITLE V—MARITIME TRANSPORTATION SAFETY

- Sec. 501. Consistency in marine inspections.
- Sec. 502. Uninspected passenger vessels in St. Louis County, Minnesota.
- Sec. 503. Engine cut-off switch requirements.
- Sec. 504. Exception from survival craft requirements.
- Sec. 505. Safety standards.
- Sec. 506. Fishing safety grants.
- Sec. 507. Fishing, fish tender, and fish processing vessel certification.
- Sec. 508. Deadline for compliance with alternate safety compliance program.
- Sec. 509. Termination of unsafe operations; technical correction.
- Sec. 510. Technical corrections: Licenses, certificates of registry, and merchant mariner documents.
- Sec. 511. Clarification of logbook entries.
- Sec. 512. Certificates of documentation for recreational vessels.
- Sec. 513. Numbering for undocumented barges.
- Sec. 514. Backup national timing system.
- Sec. 515. Scientific personnel.
- Sec. 516. Transparency.

TITLE VI—ADVISORY COMMITTEES

- Sec. 601. National maritime transportation advisory committees.
- Sec. 602. Maritime Security Advisory Committees.

TITLE VII—FEDERAL MARITIME COMMISSION

- Sec. 701. Short title.
- Sec. 702. Authorization of appropriations.
- Sec. 703. Reporting on impact of alliances on competition.
- Sec. 704. Definition of certain covered services.
- Sec. 705. Reports filed with the Commission.
- Sec. 706. Public participation.
- Sec. 707. Ocean transportation intermediaries.
- Sec. 708. Common carriers.
- Sec. 709. Negotiations.
- Sec. 710. Injunctive relief sought by the Commission.
- Sec. 711. Discussions.
- Sec. 712. Transparency.
- Sec. 713. Study of bankruptcy preparation and response.
- Sec. 714. Agreements unaffected.

TITLE VIII—MISCELLANEOUS

- Sec. 801. Repeal of obsolete reporting requirement.

- Sec. 802. Corrections to provisions enacted by Coast Guard Authorization Acts.
- Sec. 803. Officer evaluation report.
- Sec. 804. Extension of authority.
- Sec. 805. Coast Guard ROTC program.
- Sec. 806. Currency detection canine team program.
- Sec. 807. Center of expertise for Great Lakes oil spill search and response.
- Sec. 808. Public safety answering points and maritime search and rescue coordination.
- Sec. 809. Ship shoal lighthouse transfer: repeal.
- Sec. 810. Land exchange, Ayakulik Island, Alaska.
- Sec. 811. Use of Tract 43.
- Sec. 812. Coast Guard maritime domain awareness.
- Sec. 813. Monitoring.
- Sec. 814. Reimbursements for non-Federal construction costs of certain aids to navigation.
- Sec. 815. Towing safety management system fees.
- Sec. 816. Oil spill disbursements auditing and report.
- Sec. 817. Fleet requirements assessment and strategy.
- Sec. 818. National Security Cutter.
- Sec. 819. Acquisition plan for inland waterway and river tenders and bay-class icebreakers.
- Sec. 820. Great Lakes icebreaker acquisition.
- Sec. 821. Polar icebreakers.
- Sec. 822. Strategic assets in the Arctic.
- Sec. 823. Arctic planning criteria.
- Sec. 824. Vessel response plan audit.
- Sec. 825. Waters deemed not navigable waters of the United States for certain purposes.
- Sec. 826. Documentation of recreational vessels.
- Sec. 827. Equipment requirements; exemption from throwable personal flotation devices requirement.
- Sec. 828. Visual distress signals and alternative use.
- Sec. 829. Radar refresher training.
- Sec. 830. Commercial fishing vessel safety national communications plan.
- Sec. 831. Atlantic Coast port access route study recommendations.
- Sec. 832. Drawbridges.
- Sec. 833. Waiver.
- Sec. 834. Fire-retardant materials.
- Sec. 835. Vessel waiver.
- Sec. 836. Temporary limitations.
- Sec. 837. Transfer of Coast Guard property in Jupiter Island, Florida, for inclusion in Hobe Sound National Wildlife Refuge.
- Sec. 838. Emergency response.
- Sec. 839. Drawbridges consultation.

TITLE IX—VESSEL INCIDENTAL DISCHARGE ACT

- Sec. 901. Short title.
- Sec. 902. Purposes; findings.
- Sec. 903. Standards for discharges incidental to normal operation of vessels.

TITLE X—HYDROGRAPHIC SERVICES AND OTHER MATTERS

- Sec. 1001. Reauthorization of Hydrographic Services Improvement Act of 1998.
- Sec. 1002. System for tracking and reporting all-inclusive cost of hydrographic surveys.
- Sec. 1003. Homeport of certain research vessels.

TITLE I—REORGANIZATION OF TITLE 14, UNITED STATES CODE

SEC. 101. INITIAL MATTER.

Title 14, United States Code, is amended by striking the title designation, the title heading, and the table of parts at the beginning and inserting the following:

“TITLE 14—COAST GUARD

- “Subtitle Sec.
- “I. Establishment, Powers, Duties, and Administration 101**

"II. Personnel 1901
"III. Coast Guard Reserve and Auxiliary 3701
"IV. Coast Guard Authorizations and Reports to Congress 4901".
SEC. 102. SUBTITLE I.

Part I of title 14, United States Code, is amended by striking the part designation, the part heading, and the table of chapters at the beginning and inserting the following:

"Subtitle I—Establishment, Powers, Duties, and Administration
 "Chap. Sec.
"1. Establishment and Duties 101
"3. Composition and Organization 301
"5. Functions and Powers 501
"7. Cooperation 701
"9. Administration 901
"11. Acquisitions 1101".
SEC. 103. CHAPTER 1.

(a) INITIAL MATTER.—Chapter 1 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

"CHAPTER 1—ESTABLISHMENT AND DUTIES

- "Sec.
 "101. Establishment of Coast Guard.
 "102. Primary duties.
 "103. Department in which the Coast Guard operates.
 "104. Removing restrictions.
 "105. Secretary defined.
 "106. Commandant defined."

(b) REDESIGNATIONS AND TRANSFERS.—
 (1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—
 (A) by redesignating the sections as described in the table; and
 (B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 1 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.
 (2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before re-designation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after re-designation
1	Establishment of Coast Guard	101
2	Primary duties	102
3	Department in which the Coast Guard operates	103
652	Removing restrictions	104
4	Secretary defined	105
5	Commandant defined	106

SEC. 104. CHAPTER 3.

(a) INITIAL MATTER.—Chapter 3 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

"CHAPTER 3—COMPOSITION AND ORGANIZATION

- "Sec.
 "301. Grades and ratings.
 "302. Commandant; appointment.
 "303. Retirement of Commandant or Vice Commandant.
 "304. Vice Commandant; appointment.

- "305. Vice admirals.
 "306. Retirement.
 "307. Vice admirals and admiral, continuity of grade.
 "308. Chief Acquisition Officer.
 "309. Office of the Coast Guard Reserve; Director.
 "310. Chief of Staff to President: appointment.
 "311. Captains of the port.
 "312. Prevention and response workforces.
 "313. Centers of expertise for Coast Guard prevention and response.
 "314. Marine industry training program.
 "315. Training course on workings of Congress.
 "316. National Coast Guard Museum.
 "317. United States Coast Guard Band; composition; director.
 "318. Environmental Compliance and Restoration Program."

(b) REDESIGNATIONS AND TRANSFERS.—
 (1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—
 (A) by redesignating the sections as described in the table; and
 (B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 3 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.
 (2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before re-designation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after re-designation
41	Grades and ratings	301
44	Commandant; appointment	302
46	Retirement of Commandant or Vice Commandant	303
47	Vice Commandant; appointment	304
50	Vice admirals	305
51	Retirement	306
52	Vice admirals and admiral, continuity of grade	307
56	Chief Acquisition Officer	308
53	Office of the Coast Guard Reserve; Director	309
54	Chief of Staff to President: appointment	310
57	Prevention and response workforces	312
58	Centers of expertise for Coast Guard prevention and response	313
59	Marine industry training program	314
60	Training course on workings of Congress	315
98	National Coast Guard Museum	316
336	United States Coast Guard Band; composition; director	317

(c) ADDITIONAL CHANGES.—
 (1) IN GENERAL.—Chapter 3 of title 14, United States Code, is further amended—
 (A) by inserting after section 310 (as so redesignated and transferred under subsection (b)) the following:
"§311. Captains of the port
 "Any officer, including any petty officer, may be designated by the Commandant as captain of the port or ports or adjacent high seas or waters over which the United States has jurisdiction, as the Commandant deems necessary to facilitate execution of Coast Guard duties."; and
 (B) by inserting after section 317 (as so redesignated and transferred under subsection (b)) the following:
"§318. Environmental Compliance and Restoration Program
 "(a) DEFINITIONS.—For the purposes of this section—
 "(1) 'environment', 'facility', 'person', 'release', 'removal', 'remedial', and 'response' have the same meaning they have in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601);
 "(2) 'hazardous substance' has the same meaning it has in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601), except that it also includes the meaning given 'oil' in section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321); and
 "(3) 'pollutant' has the same meaning it has in section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362).
 "(b) PROGRAM.—
 "(1) The Secretary shall carry out a program of environmental compliance and restoration at current and former Coast Guard facilities.
 "(2) Program goals include:
 "(A) Identifying, investigating, and cleaning up contamination from hazardous substances and pollutants.
 "(B) Correcting other environmental damage that poses an imminent and substantial danger to the public health or welfare or to the environment.
 "(C) Demolishing and removing unsafe buildings and structures, including buildings and structures at former Coast Guard facilities.
 "(D) Preventing contamination from hazardous substances and pollutants at current Coast Guard facilities.
 "(3)(A) The Secretary shall respond to releases of hazardous substances and pollutants—
 "(i) at each Coast Guard facility the United States owns, leases, or otherwise possesses;
 "(ii) at each Coast Guard facility the United States owned, leased, or otherwise possessed when the actions leading to contamination from hazardous substances or pollutants occurred; and
 "(iii) on each vessel the Coast Guard owns or operates.
 "(B) Subparagraph (A) of this paragraph does not apply to a removal or remedial action when a potentially responsible person responds under section 122 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9622).
 "(C) The Secretary shall pay a fee or charge imposed by a State authority for permit services for disposing of hazardous substances or pollutants from Coast Guard facilities to the same extent that nongovernmental entities are required to pay for permit services. This subparagraph does not apply to a payment that is the responsibility of a lessee, contractor, or other private person.
 "(4) The Secretary may agree with another Federal agency for that agency to assist in carrying out the Secretary's responsibilities under this section. The Secretary may enter into contracts, cooperative agreements, and grant agreements with State and local governments to assist in carrying out the Secretary's responsibilities

under this section. Services that may be obtained under this paragraph include identifying, investigating, and cleaning up off-site contamination that may have resulted from the release of a hazardous substance or pollutant at a Coast Guard facility.

“(5) Section 119 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9619) applies to response action contractors that carry out response actions under this section. The Coast Guard shall indemnify response action contractors to the extent that adequate insurance is not generally available at a fair price at the time the contractor enters into the contract to cover the contractor’s reasonable, potential, long-term liability.

“(c) AMOUNTS RECOVERED FOR RESPONSE ACTIONS.—

“(1) All sums appropriated to carry out the Coast Guard’s environmental compliance and restoration functions under this section or another law shall be credited or transferred to an appropriate Coast Guard account, as determined by the Commandant and remain available until expended.

“(2) Funds may be obligated or expended from such account to carry out the Coast Guard’s environmental compliance and restoration functions under this section or another law.

“(3) In proposing the budget for any fiscal year under section 1105 of title 31, the President shall set forth separately the amount requested for the Coast Guard’s environmental compliance and restoration activities under this section or another law.

“(4) Amounts recovered under section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607) for the Secretary’s response actions at current and former Coast Guard facilities shall be credited to an appropriate Coast Guard account, as determined by the Commandant.

“(d) ANNUAL LIST OF PROJECTS TO CONGRESS.—The Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a prioritized list of projects eligible for environmental compliance and restoration funding for each fiscal year concurrent with the President’s budget submission for that fiscal year.”

(2) CONFORMING REPEALS.—Sections 634, 690, 691, 692, and 693 of title 14, United States Code, are repealed.

SEC. 105. CHAPTER 5.

(a) INITIAL MATTER.—Chapter 5 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 5—FUNCTIONS AND POWERS

“SUBCHAPTER I—GENERAL POWERS

“Sec.

“501. Secretary; general powers.

“502. Delegation of powers by the Secretary.

“503. Regulations.

“504. Commandant; general powers.

“505. Functions and powers vested in the Commandant.

“506. Prospective payment of funds necessary to provide medical care.

“507. Appointment of judges.

“SUBCHAPTER II—LIFE SAVING AND LAW ENFORCEMENT AUTHORITIES

“521. Saving life and property.

“522. Law enforcement.

“523. Enforcement authority.

“524. Enforcement of coastwise trade laws.

“525. Special agents of the Coast Guard Investigative Service law enforcement authority.

“526. Stopping vessels; indemnity for firing at or into vessel.

“527. Safety of naval vessels.

“528. Protecting against unmanned aircraft.

“SUBCHAPTER III—AIDS TO NAVIGATION

“541. Aids to navigation authorized.

“542. Unauthorized aids to maritime navigation; penalty.

“543. Interference with aids to navigation; penalty.

“544. Aids to maritime navigation; penalty.

“545. Marking of obstructions.

“546. Deposit of damage payments.

“547. Rewards for apprehension of persons interfering with aids to navigation.

“SUBCHAPTER IV—MISCELLANEOUS

“561. Icebreaking in polar regions.

“562. Appeals and waivers.

“563. Notification of certain determinations.”.

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 5 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
92	Secretary; general powers	501
631	Delegation of powers by the Secretary	502
633	Regulations	503
93	Commandant; general powers	504
632	Functions and powers vested in the Commandant	505
520	Prospective payment of funds necessary to provide medical care	506
153	Appointment of judges	507
88	Saving life and property	521
89	Law enforcement	522
99	Enforcement authority	523
100	Enforcement of coastwise trade laws	524
95	Special agents of the Coast Guard Investigative Service law enforcement authority	525
637	Stopping vessels; indemnity for firing at or into vessel	526
91	Safety of naval vessels	527
104	Protecting against unmanned aircraft	528
81	Aids to navigation authorized	541

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
83	Unauthorized aids to maritime navigation; penalty	542
84	Interference with aids to navigation; penalty	543
85	Aids to maritime navigation; penalty	544
86	Marking of obstructions	545
642	Deposit of damage payments	546
643	Rewards for apprehension of persons interfering with aids to navigation	547
87	Icebreaking in polar regions	561
101	Appeals and waivers	562
103	Notification of certain determinations	563

(c) ADDITIONAL CHANGES.—Chapter 5 of title 14, United States Code, is further amended—

(1) by inserting before section 501 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER I—GENERAL POWERS”;

(2) by inserting before section 521 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER II—LIFE SAVING AND LAW ENFORCEMENT AUTHORITIES”;

(3) by inserting before section 541 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER III—AIDS TO NAVIGATION”;

and (4) by inserting before section 561 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER IV—MISCELLANEOUS”.

SEC. 106. CHAPTER 7.

(a) INITIAL MATTER.—Chapter 7 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 7—COOPERATION

“Sec.

“701. Cooperation with other agencies, States, territories, and political subdivisions.

“702. State Department.

“703. Treasury Department.

“704. Department of the Army and Department of the Air Force.

“705. Navy Department.

“706. United States Postal Service.

“707. Department of Commerce.

“708. Department of Health and Human Services.

“709. Maritime instruction.

“710. Assistance to foreign governments and maritime authorities.

“711. Coast Guard officers as attachés to missions.

“712. Contracts with Government-owned establishments for work and material.

“713. Nonappropriated fund instrumentalities: contracts with other agencies and instrumentalities to provide or obtain goods and services.

“714. Arctic maritime domain awareness.
 “715. Oceanographic research.
 “716. Arctic maritime transportation.
 “717. Agreements.”

(b) REDESIGNATIONS AND TRANSFERS.—
 (1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 7 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after redesignation
141	Cooperation with other agencies, States, territories, and political subdivisions	701
142	State Department	702
143	Treasury Department	703
144	Department of the Army and Department of the Air Force	704
145	Navy Department	705
146	United States Postal Service	706
147	Department of Commerce	707
147a	Department of Health and Human Services	708
148	Maritime instruction	709
149	Assistance to foreign governments and maritime authorities	710
150	Coast Guard officers as attachés to missions	711
151	Contracts with Government-owned establishments for work and material	712
152	Nonappropriated fund instrumentalities: contracts with other agencies and instrumentalities to provide or obtain goods and services	713
154	Arctic maritime domain awareness	714
94	Oceanographic research	715
90	Arctic maritime transportation	716
102	Agreements	717

SEC. 107. CHAPTER 9.

(a) INITIAL MATTER.—Chapter 9 of title 14, United States Code, is amended by striking the

chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 9—ADMINISTRATION

“SUBCHAPTER I—REAL AND PERSONAL PROPERTY

“Sec.

“901. Disposal of certain material.

“902. Employment of draftsmen and engineers.

“903. Use of certain appropriated funds.

“904. Local hire.

“905. Procurement authority for family housing.

“906. Air Station Cape Cod Improvements.

“907. Long-term lease of special purpose facilities.

“908. Long-term lease authority for lighthouse property.

“909. Small boat station rescue capability.

“910. Small boat station closures.

“911. Search and rescue center standards.

“912. Air facility closures.

“913. Turnkey selection procedures.

“914. Disposition of infrastructure related to E-LORAN.

“SUBCHAPTER II—MISCELLANEOUS

“931. Oaths required for boards.

“932. Administration of oaths.

“933. Coast Guard ensigns and pennants.

“934. Penalty for unauthorized use of words ‘Coast Guard’.

“935. Coast Guard band recordings for commercial sale.

“936. Confidentiality of medical quality assurance records; qualified immunity for participants.

“937. Admiralty claims against the United States.

“938. Claims for damage to property of the United States.

“939. Accounting for industrial work.

“940. Supplies and equipment from stock.

“941. Coast Guard Supply Fund.

“942. Public and commercial vessels and other watercraft; sale of fuel, supplies, and services.

“943. Arms and ammunition; immunity from taxation.

“944. Confidential investigative expenses.

“945. Assistance to film producers.

“946. User fees.

“947. Vessel construction bonding requirements.

“948. Contracts for medical care for retirees, dependents, and survivors: alternative delivery of health care.

“949. Telephone installation and charges.

“950. Designation, powers, and accountability of deputy disbursing officials.

“951. Aircraft accident investigations.”

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 9 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after redesignation
641	Disposal of certain material	901
653	Employment of draftsmen and engineers	902
656	Use of certain appropriated funds	903

Title 14 section number before redesignation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after redesignation
666	Local hire	904
670	Procurement authority for family housing	905
671	Air Station Cape Cod Improvements	906
672	Long-term lease of special purpose facilities	907
672a	Long-term lease authority for lighthouse property	908
674	Small boat station rescue capability	909
675	Small boat station closures	910
676	Search and rescue center standards	911
676a	Air facility closures	912
677	Turnkey selection procedures	913
681	Disposition of infrastructure related to E-LORAN	914
635	Oaths required for boards	931
636	Administration of oaths	932
638	Coast Guard ensigns and pennants	933
639	Penalty for unauthorized use of words ‘Coast Guard’	934
640	Coast Guard band recordings for commercial sale	935
645	Confidentiality of medical quality assurance records; qualified immunity for participants	936
646	Admiralty claims against the United States	937
647	Claims for damage to property of the United States	938
648	Accounting for industrial work	939
649	Supplies and equipment from stock	940
650	Coast Guard Supply Fund	941
654	Public and commercial vessels and other watercraft; sale of fuel, supplies, and services	942

Title 14 section number before redesignation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after redesignation
655	Arms and ammunition; immunity from taxation	943
658	Confidential investigative expenses	944
659	Assistance to film producers	945
664	User fees	946
667	Vessel construction bonding requirements	947
668	Contracts for medical care for retirees, dependents, and survivors: alternative delivery of health care	948
669	Telephone installation and charges	949
673	Designation, powers, and accountability of deputy disbursing officials	950
678	Aircraft accident investigations	951

(c) **ADDITIONAL CHANGES.**—Chapter 9 of title 14, United States Code, is further amended—
 (1) by inserting before section 901 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER I—REAL AND PERSONAL PROPERTY”;

and

(2) by inserting before section 931 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER II—MISCELLANEOUS”.

SEC. 108. CHAPTER 11.

(a) **INITIAL MATTER.**—Chapter 11 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 11—ACQUISITIONS

“SUBCHAPTER I—GENERAL PROVISIONS

“Sec.

“1101. Acquisition directorate.

“1102. Improvements in Coast Guard acquisition management.

“1103. Role of Vice Commandant in major acquisition programs.

“1104. Recognition of Coast Guard personnel for excellence in acquisition.

“1105. Prohibition on use of lead systems integrators.

“1106. Required contract terms.

“1107. Extension of major acquisition program contracts.

“1108. Department of Defense consultation.

“1109. Unfinalized contractual actions.

“1110. Mission need statement.

“SUBCHAPTER II—IMPROVED ACQUISITION PROCESS AND PROCEDURES

“1131. Identification of major system acquisitions.

“1132. Acquisition.

“1133. Preliminary development and demonstration.

“1134. Acquisition, production, deployment, and support.

“1135. Acquisition program baseline breach.

“1136. Acquisition approval authority.

“SUBCHAPTER III—PROCUREMENT

“1151. Restriction on construction of vessels in foreign shipyards.

“1152. Advance procurement funding.

“1153. Prohibition on overhaul, repair, and maintenance of Coast Guard vessels in foreign shipyards.

“1154. Procurement of buoy chain.

“1155. Contract termination.

“SUBCHAPTER IV—DEFINITIONS

“1171. Definitions.”.

(b) **REDESIGNATIONS AND TRANSFERS.**—

(1) **REQUIREMENT.**—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 11 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) **TABLE.**—The table referred to in paragraph (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after redesignation
561	Acquisition directorate	1101
562	Improvements in Coast Guard acquisition management	1102
578	Role of Vice Commandant in major acquisition programs	1103
563	Recognition of Coast Guard personnel for excellence in acquisition	1104
564	Prohibition on use of lead systems integrators	1105
565	Required contract terms	1106
579	Extension of major acquisition program contracts	1107
566	Department of Defense consultation	1108
567	Unfinalized contractual actions	1109
569	Mission need statement	1110
571	Identification of major system acquisitions	1131
572	Acquisition	1132
573	Preliminary development and demonstration	1133
574	Acquisition, production, deployment, and support	1134
575	Acquisition program baseline breach	1135

Title 14 section number before redesignation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after redesignation
576	Acquisition approval authority	1136
665	Restriction on construction of vessels in foreign shipyards	1151
577	Advance procurement funding	1152
96	Prohibition on overhaul, repair, and maintenance of Coast Guard vessels in foreign shipyards	1153
97	Procurement of buoy chain	1154
657	Contract termination	1155
581	Definitions	1171

(c) **ADDITIONAL CHANGES.**—Chapter 11 of title 14, United States Code, is further amended—

(1) by striking all subdivision designations and headings in such chapter, except for—

(A) the chapter designation and heading added by subsection (a);

(B) the subchapter designations and headings added by this subsection; and

(C) any designation or heading of a section or a subdivision of a section;

(2) by inserting before section 1101 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER I—GENERAL PROVISIONS”;

(3) by inserting before section 1131 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER II—IMPROVED ACQUISITION PROCESS AND PROCEDURES”;

(4) by inserting before section 1151 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER III—PROCUREMENT”;

and

(5) by inserting before section 1171 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER IV—DEFINITIONS”.

SEC. 109. SUBTITLE II.

(a) **INITIAL MATTER.**—Title 14, United States Code, is further amended by inserting after chapter 11 (as amended by section 108) the following:

“Subtitle II—Personnel

“Chap.	Sec.
“19. Coast Guard Academy	1901
“21. Personnel; Officers	2101
“23. Personnel; Enlisted	2301
“25. Personnel; General Provisions	2501
“27. Pay, Allowances, Awards, and Other Rights and Benefits	2701
“29. Coast Guard Family Support, Child Care, and Housing	2901”.

(b) **RESERVED CHAPTER NUMBERS.**—

(1) **CHAPTER 13.**—Chapter 13 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning.

(2) **CHAPTER 14.**—Chapter 14 of title 14, United States Code, is amended—

(A) by striking the chapter designation, the chapter heading, and the table of sections at the beginning; and

(B) by striking the subchapter designation and the subchapter heading for each of the subchapters of such chapter.

(3) CHAPTER 15.—Chapter 15 of title 14, United States Code, is amended—

(A) by striking the chapter designation, the chapter heading, and the table of sections at the beginning; and

(B) by striking the subchapter designation and the subchapter heading for each of the subchapters of such chapter.

(4) CHAPTER 17.—Chapter 17 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning.

(5) CHAPTER 18.—Chapter 18 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning.

SEC. 110. CHAPTER 19.

(a) INITIAL MATTER.—Chapter 19 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 19—COAST GUARD ACADEMY

“SUBCHAPTER I—ADMINISTRATION

“Sec.

“1901. Administration of Academy.

“1902. Policy on sexual harassment and sexual violence.

“1903. Annual Board of Visitors.

“1904. Participation in Federal, State, or other educational research grants.

“SUBCHAPTER II—CADETS

“1921. Corps of Cadets authorized strength.

“1922. Appointments.

“1923. Admission of foreign nationals for instruction; restrictions; conditions.

“1924. Conduct.

“1925. Agreement.

“1926. Cadet applicants; preappointment travel to Academy.

“1927. Cadets; initial clothing allowance.

“1928. Cadets; degree of bachelor of science.

“1929. Cadets; appointment as ensign.

“1930. Cadets; charges and fees for attendance; limitation.

“SUBCHAPTER III—FACULTY

“1941. Civilian teaching staff.

“1942. Permanent commissioned teaching staff; composition.

“1943. Appointment of permanent commissioned teaching staff.

“1944. Grade of permanent commissioned teaching staff.

“1945. Retirement of permanent commissioned teaching staff.

“1946. Credit for service as member of civilian teaching staff.

“1947. Assignment of personnel as instructors.

“1948. Marine safety curriculum.”.

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 19 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before re-designation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after re-designation
181	Administration of Academy	1901
200	Policy on sexual harassment and sexual violence	1902

Title 14 section number before re-designation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after re-designation
194	Annual Board of Visitors	1903
196	Participation in Federal, State, or other educational research grants	1904
195	Admission of foreign nationals for instruction; restrictions; conditions	1923
181a	Cadet applicants; preappointment travel to Academy	1926
183	Cadets; initial clothing allowance	1927
184	Cadets; degree of bachelor of science	1928
185	Cadets; appointment as ensign	1929
197	Cadets; charges and fees for attendance; limitation	1930
186	Civilian teaching staff	1941
187	Permanent commissioned teaching staff; composition	1942
188	Appointment of permanent commissioned teaching staff	1943
189	Grade of permanent commissioned teaching staff	1944
190	Retirement of permanent commissioned teaching staff	1945
191	Credit for service as member of civilian teaching staff	1946
192	Assignment of personnel as instructors	1947
199	Marine safety curriculum	1948

(c) ADDITIONAL CHANGES.—

(1) IN GENERAL.—Chapter 19 of title 14, United States Code, is further amended—

(A) by inserting before section 1901 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER I—ADMINISTRATION”;

(B) by inserting before section 1923 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER II—CADETS

“§ 1921. Corps of Cadets authorized strength

“The number of cadets appointed annually to the Academy shall be as determined by the Secretary but the number appointed in any one year shall not exceed six hundred.

“§ 1922. Appointments

“Appointments to cadetships shall be made under regulations prescribed by the Secretary, who shall determine age limits, methods of selection of applicants, term of service as a cadet be-

fore graduation, and all other matters affecting such appointments. In the administration of this section, the Secretary shall take such action as may be necessary and appropriate to insure that female individuals shall be eligible for appointment and admission to the Coast Guard Academy, and that the relevant standards required for appointment, admission, training, graduation, and commissioning of female individuals shall be the same as those required for male individuals, except for those minimum essential adjustments in such standards required because of physiological differences between male and female individuals.”;

(C) by inserting before section 1926 (as so redesignated and transferred under subsection (b)) the following:

“§ 1924. Conduct

“The Secretary may summarily dismiss from the Coast Guard any cadet who, during his cadetship, is found unsatisfactory in either studies or conduct, or may be deemed not adapted for a career in the Coast Guard. Cadets shall be subject to rules governing discipline prescribed by the Commandant.

“§ 1925. Agreement

“(a) Each cadet shall sign an agreement with respect to the cadet’s length of service in the Coast Guard. The agreement shall provide that the cadet agrees to the following:

“(1) That the cadet will complete the course of instruction at the Coast Guard Academy.

“(2) That upon graduation from the Coast Guard Academy the cadet—

“(A) will accept an appointment, if tendered, as a commissioned officer of the Coast Guard; and

“(B) will serve on active duty for at least five years immediately after such appointment.

“(3) That if an appointment described in paragraph (2) is not tendered or if the cadet is permitted to resign as a regular officer before the completion of the commissioned service obligation of the cadet, the cadet—

“(A) will accept an appointment as a commissioned officer in the Coast Guard Reserve; and

“(B) will remain in that reserve component until completion of the commissioned service obligation of the cadet.

“(b)(1) The Secretary may transfer to the Coast Guard Reserve, and may order to active duty for such period of time as the Secretary prescribes (but not to exceed four years), a cadet who breaches an agreement under subsection (a). The period of time for which a cadet is ordered to active duty under this paragraph may be determined without regard to section 651(a) of title 10.

“(2) A cadet who is transferred to the Coast Guard Reserve under paragraph (1) shall be transferred in an appropriate enlisted grade or rating, as determined by the Secretary.

“(3) For the purposes of paragraph (1), a cadet shall be considered to have breached an agreement under subsection (a) if the cadet is separated from the Coast Guard Academy under circumstances which the Secretary determines constitute a breach by the cadet of the cadet’s agreement to complete the course of instruction at the Coast Guard Academy and accept an appointment as a commissioned officer upon graduation from the Coast Guard Academy.

“(c) The Secretary shall prescribe regulations to carry out this section. Those regulations shall include—

“(1) standards for determining what constitutes, for the purpose of subsection (b), a breach of an agreement under subsection (a);

“(2) procedures for determining whether such a breach has occurred; and

“(3) standards for determining the period of time for which a person may be ordered to serve on active duty under subsection (b).

“(d) In this section, ‘commissioned service obligation’, with respect to an officer who is a graduate of the Academy, means the period beginning on the date of the officer’s appointment

as a commissioned officer and ending on the sixth anniversary of such appointment or, at the discretion of the Secretary, any later date up to the eighth anniversary of such appointment.

“(e)(1) This section does not apply to a cadet who is not a citizen or national of the United States.

“(2) In the case of a cadet who is a minor and who has parents or a guardian, the cadet may sign the agreement required by subsection (a) only with the consent of the parent or guardian.

“(f) A cadet or former cadet who does not fulfill the terms of the obligation to serve as specified under section (a), or the alternative obligation imposed under subsection (b), shall be subject to the repayment provisions of section 303a(e) of title 37.”; and

(D) by inserting before section 1941 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER III—FACULTY”.

(2) CONFORMING REPEAL.—Section 182 of title 14, United States Code, is repealed.

SEC. 111. PART II.

Part II of title 14, United States Code, is amended by striking the part designation, the part heading, and the table of chapters at the beginning.

SEC. 112. CHAPTER 21.

(a) INITIAL MATTER.—Chapter 21 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 21—PERSONNEL; OFFICERS

“SUBCHAPTER I—APPOINTMENT AND PROMOTION

“Sec.

“2101. Original appointment of permanent commissioned officers.

“2102. Active duty promotion list.

“2103. Number and distribution of commissioned officers on active duty promotion list.

“2104. Appointment of temporary officers.

“2105. Rank of warrant officers.

“2106. Selection boards; convening of boards.

“2107. Selection boards; composition of boards.

“2108. Selection boards; notice of convening; communication with board.

“2109. Selection boards; oath of members.

“2110. Number of officers to be selected for promotion.

“2111. Promotion zones.

“2112. Promotion year; defined.

“2113. Eligibility of officers for consideration for promotion.

“2114. United States Deputy Marshals in Alaska.

“2115. Selection boards; information to be furnished boards.

“2116. Officers to be recommended for promotion.

“2117. Selection boards; reports.

“2118. Selection boards; submission of reports.

“2119. Failure of selection for promotion.

“2120. Special selection boards; correction of errors.

“2121. Promotions; appointments.

“2122. Removal of officer from list of selectees for promotion.

“2123. Promotions; acceptance; oath of office.

“2124. Promotions; pay and allowances.

“2125. Wartime temporary service promotions.

“2126. Promotion of officers not included on active duty promotion list.

“2127. Recall to active duty during war or national emergency.

“2128. Recall to active duty with consent of officer.

“2129. Aviation cadets; appointment as Reserve officers.

“SUBCHAPTER II—DISCHARGES; RETIREMENTS; REVOCATION OF COMMISSIONS; SEPARATION FOR CAUSE

“2141. Revocation of commissions during first five years of commissioned service.

“2142. Regular lieutenants (junior grade); separation for failure of selection for promotion.

“2143. Regular lieutenants; separation for failure of selection for promotion; continuation.

“2144. Regular Coast Guard; officers serving under temporary appointments.

“2145. Regular lieutenant commanders and commanders; retirement for failure of selection for promotion.

“2146. Discharge in lieu of retirement; separation pay.

“2147. Regular warrant officers: separation pay.

“2148. Separation for failure of selection for promotion or continuation; time of.

“2149. Regular captains; retirement.

“2150. Captains; continuation on active duty; involuntary retirement.

“2151. Rear admirals and rear admirals (lower half); continuation on active duty; involuntary retirement.

“2152. Voluntary retirement after twenty years’ service.

“2153. Voluntary retirement after thirty years’ service.

“2154. Compulsory retirement.

“2155. Retirement for physical disability after selection for promotion; grade in which retired.

“2156. Deferment of retirement or separation for medical reasons.

“2157. Flag officers.

“2158. Review of records of officers.

“2159. Boards of inquiry.

“2160. Boards of review.

“2161. Composition of boards.

“2162. Rights and procedures.

“2163. Removal of officer from active duty; action by Secretary.

“2164. Officers considered for removal; retirement or discharge; separation benefits.

“2165. Relief of retired officer promoted while on active duty.

“SUBCHAPTER III—GENERAL PROVISIONS

“2181. Physical fitness of officers.

“2182. Multirater assessment of certain personnel.”.

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 21 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before re-designation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after re-designation
211	Original appointment of permanent commissioned officers	2101
41a	Active duty promotion list	2102
42	Number and distribution of commissioned officers on active duty promotion list	2103
214	Appointment of temporary officers	2104
215	Rank of warrant officers	2105

Title 14 section number before re-designation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after re-designation
251	Selection boards; convening of boards	2106
252	Selection boards; composition of boards	2107
253	Selection boards; notice of convening; communication with board	2108
254	Selection boards; oath of members	2109
255	Number of officers to be selected for promotion	2110
256	Promotion zones	2111
256a	Promotion year; defined	2112
257	Eligibility of officers for consideration for promotion	2113
258	Selection boards; information to be furnished boards	2115
259	Officers to be recommended for promotion	2116
260	Selection boards; reports	2117
261	Selection boards; submission of reports	2118
262	Failure of selection for promotion	2119
263	Special selection boards; correction of errors	2120
271	Promotions; appointments	2121
272	Removal of officer from list of selectees for promotion	2122
273	Promotions; acceptance; oath of office	2123
274	Promotions; pay and allowances	2124
275	Wartime temporary service promotions	2125
276	Promotion of officers not included on active duty promotion list	2126
331	Recall to active duty during war or national emergency	2127
332	Recall to active duty with consent of officer	2128
373	Aviation cadets; appointment as Reserve officers	2129

Title 14 section number before redesignation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after redesignation
281	Revocation of commissions during first five years of commissioned service	2141
282	Regular lieutenants (junior grade); separation for failure of selection for promotion	2142
283	Regular lieutenants; separation for failure of selection for promotion; continuation	2143
284	Regular Coast Guard; officers serving under temporary appointments	2144
285	Regular lieutenant commanders and commanders; retirement for failure of selection for promotion	2145
286	Discharge in lieu of retirement; separation pay	2146
286a	Regular warrant officers: separation pay	2147
287	Separation for failure of selection for promotion or continuation; time of	2148
288	Regular captains; retirement	2149
289	Captains; continuation on active duty; involuntary retirement	2150
290	Rear admirals and rear admirals (lower half); continuation on active duty; involuntary retirement	2151
291	Voluntary retirement after twenty years' service	2152
292	Voluntary retirement after thirty years' service	2153
293	Compulsory retirement	2154
294	Retirement for physical disability after selection for promotion; grade in which retired	2155
295	Deferment of retirement or separation for medical reasons	2156
296	Flag officers	2157

Title 14 section number before redesignation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after redesignation
321	Review of records of officers	2158
322	Boards of inquiry	2159
323	Boards of review	2160
324	Composition of boards	2161
325	Rights and procedures	2162
326	Removal of officer from active duty; action by Secretary	2163
327	Officers considered for removal; retirement or discharge; separation benefits	2164
333	Relief of retired officer promoted while on active duty	2165
335	Physical fitness of officers	2181
429	Multirater assessment of certain personnel	2182

(c) ADDITIONAL CHANGES.—Chapter 21 of title 14, United States Code, is further amended—

(1) by striking all subchapter designations and headings in such chapter, except for the subchapter designations and headings added by this subsection;

(2) by inserting before section 2101 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER I—APPOINTMENT AND PROMOTION”;

(3) by inserting before section 2115 (as so redesignated and transferred under subsection (b)) the following:

“§2114. United States Deputy Marshals in Alaska

“Commissioned officers may be appointed as United States Deputy Marshals in Alaska.”;

(4) by inserting before section 2141 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER II—DISCHARGES; RETIREMENTS; REVOCATION OF COMMISSIONS; SEPARATION FOR CAUSE”;

and
(5) by inserting before section 2181 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER III—GENERAL PROVISIONS”.

SEC. 113. CHAPTER 23.

(a) INITIAL MATTER.—Chapter 23 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 23—PERSONNEL; ENLISTED

“Sec.
“2301. Recruiting campaigns.
“2302. Enlistments; term, grade.
“2303. Promotion.
“2304. Compulsory retirement at age of sixty-two.
“2305. Voluntary retirement after thirty years' service.
“2306. Voluntary retirement after twenty years' service.

“2307. Retirement of enlisted members: increase in retired pay.
“2308. Recall to active duty during war or national emergency.
“2309. Recall to active duty with consent of member.
“2310. Relief of retired enlisted member promoted while on active duty.
“2311. Retirement in cases where higher grade or rating has been held.
“2312. Extension of enlistments.
“2313. Retention beyond term of enlistment in case of disability.
“2314. Detention beyond term of enlistment.
“2315. Inclusion of certain conditions in enlistment contract.
“2316. Discharge within three months before expiration of enlistment.
“2317. Aviation cadets; procurement; transfer.
“2318. Aviation cadets; benefits.
“2319. Critical skill training bonus.”.
(b) REDESIGNATIONS AND TRANSFERS.—
(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—
(A) by redesignating the sections as described in the table; and
(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 23 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.
(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after redesignation
350	Recruiting campaigns	2301
351	Enlistments; term, grade	2302
352	Promotion	2303
353	Compulsory retirement at age of sixty-two	2304
354	Voluntary retirement after thirty years' service	2305
355	Voluntary retirement after twenty years' service	2306
357	Retirement of enlisted members: increase in retired pay	2307
359	Recall to active duty during war or national emergency	2308
360	Recall to active duty with consent of member	2309
361	Relief of retired enlisted member promoted while on active duty	2310
362	Retirement in cases where higher grade or rating has been held	2311
365	Extension of enlistments	2312

Title 14 section number before re-designation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after re-designation
366	Retention beyond term of enlistment in case of disability	2313
367	Detention beyond term of enlistment	2314
369	Inclusion of certain conditions in enlistment contract	2315
370	Discharge within three months before expiration of enlistment	2316
371	Aviation cadets; procurement; transfer	2317
372	Aviation cadets; benefits	2318
374	Critical skill training bonus	2319

Title 14 section number before re-designation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after re-designation
421	Retirement	2502
422	Status of recalled personnel	2503
423	Computation of retired pay	2504
424	Limitations on retirement and retired pay	2505
424a	Suspension of payment of retired pay of members who are absent from the United States to avoid prosecution	2506
425	Board for Correction of Military Records deadline	2507
426	Emergency leave retention authority	2508
427	Prohibition of certain involuntary administrative separations	2509
428	Sea service letters	2510
430	Investigations of flag officers and Senior Executive Service employees	2511
431	Leave policies for the Coast Guard	2512
467	Computation of length of service	2513
432	Personnel of former Lighthouse Service	2531

- “2705. Clothing at time of discharge for good of service.
 - “2706. Right to wear uniform.
 - “2707. Protection of uniform.
 - “2708. Clothing for officers and enlisted personnel.
 - “2709. Procurement and sale of stores to members and civilian employees.
 - “2710. Disposition of effects of decedents.
 - “2711. Deserters; payment of expenses incident to apprehension and delivery; penalties.
 - “2712. Payment for the apprehension of stragglers.
- “SUBCHAPTER II—AWARDS
- “2731. Delegation of powers to make awards; rules and regulations.
 - “2732. Medal of honor.
 - “2733. Medal of honor: duplicate medal.
 - “2734. Medal of honor: presentation of Medal of Honor Flag.
 - “2735. Coast Guard cross.
 - “2736. Distinguished service medal.
 - “2737. Silver star medal.
 - “2738. Distinguished flying cross.
 - “2739. Coast Guard medal.
 - “2740. Insignia for additional awards.
 - “2741. Time limit on award; report concerning deed.
 - “2742. Honorable subsequent service as condition to award.
 - “2743. Posthumous awards.
 - “2744. Life-saving medals.
 - “2745. Replacement of medals.
 - “2746. Award of other medals.
 - “2747. Awards and insignia for excellence in service or conduct.
 - “2748. Presentation of United States flag upon retirement.

SEC. 114. CHAPTER 25.

(a) INITIAL MATTER.—Chapter 25 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 25—PERSONNEL; GENERAL PROVISIONS

“SUBCHAPTER I—GENERAL PROVISIONS

- “Sec.
- “2501. Grade on retirement.
- “2502. Retirement.
- “2503. Status of recalled personnel.
- “2504. Computation of retired pay.
- “2505. Limitations on retirement and retired pay.
- “2506. Suspension of payment of retired pay of members who are absent from the United States to avoid prosecution.
- “2507. Board for Correction of Military Records deadline.
- “2508. Emergency leave retention authority.
- “2509. Prohibition of certain involuntary administrative separations.
- “2510. Sea service letters.
- “2511. Investigations of flag officers and Senior Executive Service employees.
- “2512. Leave policies for the Coast Guard.
- “2513. Computation of length of service.

“SUBCHAPTER II—LIGHTHOUSE SERVICE

“2531. Personnel of former Lighthouse Service.”.

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 25 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before re-designation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after re-designation
334	Grade on retirement	2501

(c) ADDITIONAL CHANGES.—Chapter 25 of title 14, United States Code, is further amended—

(1) by inserting before section 2501 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER I—GENERAL PROVISIONS”;
and

(2) by inserting before section 2531 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER II—LIGHTHOUSE SERVICE”.

SEC. 115. PART III.

Part III of title 14, United States Code, is amended by striking the part designation, the part heading, and the table of chapters at the beginning.

SEC. 116. CHAPTER 27.

(a) INITIAL MATTER.—Chapter 27 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 27—PAY, ALLOWANCES, AWARDS, AND OTHER RIGHTS AND BENEFITS

“SUBCHAPTER I—PERSONNEL RIGHTS AND BENEFITS

- “Sec.
- “2701. Procurement of personnel.
- “2702. Training.
- “2703. Contingent expenses.
- “2704. Equipment to prevent accidents.

“SUBCHAPTER III—PAYMENTS

- “2761. Persons discharged as result of court-martial; allowances to.
- “2762. Shore patrol duty; payment of expenses.
- “2763. Compensatory absence from duty for military personnel at isolated duty stations.
- “2764. Monetary allowance for transportation of household effects.
- “2765. Retroactive payment of pay and allowances delayed by administrative error or oversight.
- “2766. Travel card management.
- “2767. Reimbursement for medical-related travel expenses for certain persons residing on islands in the continental United States.

“2768. Annual audit of pay and allowances of members undergoing permanent change of station.

- “2769. Remission of indebtedness.
- “2770. Special instruction at universities.
- “2771. Attendance at professional meetings.
- “2772. Education loan repayment program.
- “2773. Rations or commutation therefor in money.
- “2774. Sales of ration supplies to messes.
- “2775. Flight rations.

“2776. Payments at time of discharge for good of service.

“2777. Clothing for destitute shipwrecked persons.

“2778. Advancement of public funds to personnel.

“2779. Transportation to and from certain places of employment.”.

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 27 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before re-designation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after re-designation
468	Procurement of personnel	2701
469	Training	2702
476	Contingent expenses	2703
477	Equipment to prevent accidents	2704
482	Clothing at time of discharge for good of service	2705
483	Right to wear uniform	2706
484	Protection of uniform	2707
485	Clothing for officers and enlisted personnel	2708
487	Procurement and sale of stores to members and civilian employees	2709
507	Disposition of effects of decedents	2710
508	Deserters; payment of expenses incident to apprehension and delivery; penalties	2711
644	Payment for the apprehension of stragglers	2712
499	Delegation of powers to make awards; rules and regulations	2731
491	Medal of honor	2732
504	Medal of honor: duplicate medal	2733
505	Medal of honor: presentation of Medal of Honor Flag	2734
491a	Coast Guard cross	2735
492	Distinguished service medal	2736
492a	Silver star medal	2737
492b	Distinguished flying cross	2738
493	Coast Guard medal	2739
494	Insignia for additional awards	2740
496	Time limit on award; report concerning deed	2741
497	Honorable subsequent service as condition to award	2742
498	Posthumous awards	2743
500	Life-saving medals	2744

Title 14 section number before re-designation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after re-designation
501	Replacement of medals	2745
502	Award of other medals	2746
503	Awards and insignia for excellence in service or conduct	2747
516	Presentation of United States flag upon retirement	2748
509	Persons discharged as result of court-martial; allowances to	2761
510	Shore patrol duty; payment of expenses	2762
511	Compensatory absence from duty for military personnel at isolated duty stations	2763
512	Monetary allowance for transportation of household effects	2764
513	Retroactive payment of pay and allowances delayed by administrative error or oversight	2765
517	Travel card management	2766
518	Reimbursement for medical-related travel expenses for certain persons residing on islands in the continental United States	2767
519	Annual audit of pay and allowances of members undergoing permanent change of station	2768
461	Remission of indebtedness	2769
470	Special instruction at universities	2770
471	Attendance at professional meetings	2771
472	Education loan repayment program	2772
478	Rations or commutation therefor in money	2773
479	Sales of ration supplies to messes	2774
480	Flight rations	2775
481	Payments at time of discharge for good of service	2776

Title 14 section number before re-designation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after re-designation
486	Clothing for destitute shipwrecked persons	2777
488	Advancement of public funds to personnel	2778
660	Transportation to and from certain places of employment	2779

(c) ADDITIONAL CHANGES.—Chapter 27 of title 14, United States Code, is further amended—

(1) by inserting before section 2701 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER I—PERSONNEL RIGHTS AND BENEFITS”;

(2) by inserting before section 2731 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER II—AWARDS”;

and

(3) by inserting before section 2761 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER III—PAYMENTS”.

SEC. 117. CHAPTER 29.

(a) INITIAL MATTER.—Chapter 29 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 29—COAST GUARD FAMILY SUPPORT, CHILD CARE, AND HOUSING

“SUBCHAPTER I—COAST GUARD FAMILIES

“Sec.

“2901. Work-life policies and programs.

“2902. Surveys of Coast Guard families.

“2903. Reimbursement for adoption expenses.

“2904. Education and training opportunities for Coast Guard spouses.

“2905. Youth sponsorship initiatives.

“2906. Dependent school children.

“SUBCHAPTER II—COAST GUARD CHILD CARE

“2921. Definitions.

“2922. Child development services.

“2923. Child development center standards and inspections.

“2924. Child development center employees.

“2925. Parent partnerships with child development centers.

“SUBCHAPTER III—HOUSING

“2941. Definitions.

“2942. General authority.

“2943. Leasing and hiring of quarters; rental of inadequate housing.

“2944. Retired service members and dependents serving on advisory committees.

“2945. Conveyance of real property.

“2946. Coast Guard Housing Fund.

“2947. Reports.”.

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 29 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after redesignation
531	Work-life policies and programs	2901
532	Surveys of Coast Guard families	2902
541	Reimbursement for adoption expenses	2903
542	Education and training opportunities for Coast Guard spouses	2904
543	Youth sponsorship initiatives	2905
544	Dependent school children	2906
551	Definitions	2921
552	Child development services	2922
553	Child development center standards and inspections	2923
554	Child development center employees	2924
555	Parent partnerships with child development centers	2925
680	Definitions	2941
681	General authority	2942
475	Leasing and hiring of quarters; rental of inadequate housing	2943
680	Retired service members and dependents serving on advisory committees	2944
685	Conveyance of real property	2945
687	Coast Guard Housing Fund	2946
688	Reports	2947

(c) ADDITIONAL CHANGES.—Chapter 29 of title 14, United States Code, is further amended—
 (1) by inserting before section 2901 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER I—COAST GUARD FAMILIES”;

(2) by inserting before section 2921 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER II—COAST GUARD CHILD CARE”;

and

(3) by inserting before section 2941 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER III—HOUSING”.

SEC. 118. SUBTITLE III AND CHAPTER 37.

(a) INITIAL MATTER.—Title 14, United States Code, is further amended by adding after chapter 29 (as amended by section 117) the following:

“Subtitle III—Coast Guard Reserve and Auxiliary

“Chap. 37. Coast Guard Reserve Sec. 3701

“39. Coast Guard Auxiliary 3901
 “41. General Provisions for Coast Guard Reserve and Auxiliary 4101

“CHAPTER 1—COAST GUARD RESERVE

“SUBCHAPTER I—ADMINISTRATION

“Sec.
 “3701. Organization.
 “3702. Authorized strength.
 “3703. Coast Guard Reserve Boards.
 “3704. Grades and ratings; military authority.
 “3705. Benefits.
 “3706. Temporary members of the Reserve; eligibility and compensation.
 “3707. Temporary members of the Reserve; disability or death benefits.
 “3708. Temporary members of the Reserve; certificate of honorable service.
 “3709. Reserve student aviation pilots; Reserve aviation pilots; appointments in commissioned grade.
 “3710. Reserve student pre-commissioning assistance program.
 “3711. Appointment or wartime promotion; retention of grade upon release from active duty.
 “3712. Exclusiveness of service.
 “3713. Active duty for emergency augmentation of regular forces.
 “3714. Enlistment of members engaged in schooling.

“SUBCHAPTER II—PERSONNEL

“3731. Definitions.
 “3732. Applicability of this subchapter.
 “3733. Suspension of this subchapter in time of war or national emergency.
 “3734. Effect of this subchapter on retirement and retired pay.
 “3735. Authorized number of officers.
 “3736. Precedence.
 “3737. Running mates.
 “3738. Constructive credit upon initial appointment.
 “3739. Promotion of Reserve officers on active duty.
 “3740. Promotion; recommendations of selection boards.
 “3741. Selection boards; appointment.
 “3742. Establishment of promotion zones under running mate system.
 “3743. Eligibility for promotion.
 “3744. Recommendation for promotion of an officer previously removed from an active status.
 “3745. Qualifications for promotion.
 “3746. Promotion; acceptance; oath of office.
 “3747. Date of rank upon promotion; entitlement to pay.
 “3748. Type of promotion; temporary.
 “3749. Effect of removal by the President or failure of consent of the Senate.
 “3750. Failure of selection for promotion.
 “3751. Failure of selection and removal from an active status.
 “3752. Retention boards; removal from an active status to provide a flow of promotion.
 “3753. Maximum ages for retention in an active status.
 “3754. Rear admiral and rear admiral (lower half); maximum service in grade.
 “3755. Appointment of a former Navy or Coast Guard officer.
 “3756. Grade on entry upon active duty.
 “3757. Recall of a retired officer; grade upon release.”.

(b) REDESIGNATIONS AND TRANSFERS.—
 (1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 37 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after redesignation
701	Organization	3701
702	Authorized strength	3702
703	Coast Guard Reserve Boards	3703
704	Grades and ratings; military authority	3704
705	Benefits	3705
706	Temporary members of the Reserve; eligibility and compensation	3706
707	Temporary members of the Reserve; disability or death benefits	3707
708	Temporary members of the Reserve; certificate of honorable service	3708
709	Reserve student aviation pilots; Reserve aviation pilots; appointments in commissioned grade	3709
709a	Reserve student pre-commissioning assistance program	3710
710	Appointment or wartime promotion; retention of grade upon release from active duty	3711
711	Exclusiveness of service	3712
712	Active duty for emergency augmentation of regular forces	3713
713	Enlistment of members engaged in schooling	3714
720	Definitions	3731
721	Applicability of this subchapter	3732
722	Suspension of this subchapter in time of war or national emergency	3733
723	Effect of this subchapter on retirement and retired pay	3734
724	Authorized number of officers	3735
725	Precedence	3736
726	Running mates	3737
727	Constructive credit upon initial appointment	3738

Title 14 section number before re-designation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after re-designation
728	Promotion of Reserve officers on active duty	3739
729	Promotion; recommendations of selection boards	3740
730	Selection boards; appointment	3741
731	Establishment of promotion zones under running mate system	3742
732	Eligibility for promotion	3743
733	Recommendation for promotion of an officer previously removed from an active status	3744
734	Qualifications for promotion	3745
735	Promotion; acceptance; oath of office	3746
736	Date of rank upon promotion; entitlement to pay	3747
737	Type of promotion; temporary	3748
738	Effect of removal by the President or failure of consent of the Senate	3749
739	Failure of selection for promotion	3750
740	Failure of selection and removal from an active status	3751
741	Retention boards; removal from an active status to provide a flow of promotion	3752
742	Maximum ages for retention in an active status	3753
743	Rear admiral and rear admiral (lower half); maximum service in grade	3754
744	Appointment of a former Navy or Coast Guard officer	3755
745	Grade on entry upon active duty	3756
746	Recall of a retired officer; grade upon release	3757

(c) ADDITIONAL CHANGES.—Chapter 37 of title 14, United States Code, is further amended—

(1) by inserting before section 3701 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER I—ADMINISTRATION”;
and
(2) by inserting before section 3731 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER II—PERSONNEL”.

SEC. 119. CHAPTER 39.

(a) INITIAL MATTER.—Title 14, United States Code, is further amended by adding after chapter 37 (as added by section 118) the following:

“CHAPTER 39—COAST GUARD AUXILIARY

“Sec.
“3901. Administration of the Coast Guard Auxiliary.
“3902. Purpose of the Coast Guard Auxiliary.
“3903. Eligibility; enrollments.
“3904. Members of the Auxiliary; status.
“3905. Disenrollment.
“3906. Membership in other organizations.
“3907. Use of member’s facilities.
“3908. Vessel deemed public vessel.
“3909. Aircraft deemed public aircraft.
“3910. Radio station deemed government station.
“3911. Availability of appropriations.
“3912. Assignment and performance of duties.
“3913. Injury or death in line of duty.”.

(b) REDESIGNATIONS AND TRANSFERS.—
(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and
(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 39 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before re-designation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after re-designation
821	Administration of the Coast Guard Auxiliary	3901
822	Purpose of the Coast Guard Auxiliary	3902
823	Eligibility; enrollments	3903
823a	Members of the Auxiliary; status	3904
824	Disenrollment	3905
825	Membership in other organizations	3906
826	Use of member’s facilities	3907
827	Vessel deemed public vessel	3908
828	Aircraft deemed public aircraft	3909
829	Radio station deemed government station	3910
830	Availability of appropriations	3911
831	Assignment and performance of duties	3912
832	Injury or death in line of duty	3913

SEC. 120. CHAPTER 41.

(a) INITIAL MATTER.—Title 14, United States Code, is further amended by adding after chapter 39 (as added by section 119) the following:

“CHAPTER 41—GENERAL PROVISIONS FOR COAST GUARD RESERVE AND AUXILIARY

“Sec.
“4101. Flags; pennants; uniforms and insignia.
“4102. Penalty.
“4103. Limitation on rights of members of the Auxiliary and temporary members of the Reserve.
“4104. Availability of facilities and appropriations.”.

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 41 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before re-designation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after re-designation
891	Flags; pennants; uniforms and insignia	4101
892	Penalty	4102
893	Limitation on rights of members of the Auxiliary and temporary members of the Reserve	4103
894	Availability of facilities and appropriations	4104

SEC. 121. SUBTITLE IV AND CHAPTER 49.

(a) INITIAL MATTER.—Title 14, United States Code, is further amended by adding after chapter 41 (as added by section 120) the following:

“Subtitle IV—Coast Guard Authorizations and Reports to Congress

“Chap. Sec.
“49. Authorizations 4901
“51. Reports 5101

“CHAPTER 49—AUTHORIZATIONS

“Sec.
“4901. Requirement for prior authorization of appropriations.
“4902. Authorization of appropriations.
“4903. Authorization of personnel end strengths.
“4904. Authorized levels of military strength and training.”.

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 49 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after redesignation
2701	Requirement for prior authorization of appropriations	4901
2702	Authorization of appropriations	4902
2703	Authorization of personnel end strengths	4903
2704	Authorized levels of military strength and training	4904

SEC. 122. CHAPTER 51.

(a) INITIAL MATTER.—Title 14, United States Code, is further amended by adding after chapter 49 (as added by section 121) the following:

“CHAPTER 51—REPORTS

“Sec.

“5101. Transmission of annual Coast Guard authorization request.

“5102. Capital investment plan.

“5103. Major acquisitions.

“5104. Manpower requirements plan.

“5105. Inventory of real property.

“5106. Annual performance report.

“5107. Major acquisition risk assessment.”.

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 51 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after redesignation
2901	Transmission of annual Coast Guard authorization request	5101
2902	Capital investment plan	5102
2903	Major acquisitions	5103
2904	Manpower requirements plan	5104
679	Inventory of real property	5105
2905	Annual performance report	5106
2906	Major acquisition risk assessment	5107

SEC. 123. REFERENCES.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) REDESIGNATED SECTION.—The term “redesignated section” means a section of title 14, United States Code, that is redesignated by this title, as that section is so redesignated.

(2) SOURCE SECTION.—The term “source section” means a section of title 14, United States Code, that is redesignated by this title, as that section was in effect before the redesignation.

(b) REFERENCE TO SOURCE SECTION.—

(1) TREATMENT OF REFERENCE.—A reference to a source section, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding redesignated section.

(2) TITLE 14.—In title 14, United States Code, each reference in the text of such title to a source section is amended by striking such reference and inserting a reference to the appropriate, as determined using the tables located in this title, redesignated section.

(c) OTHER CONFORMING AMENDMENTS.—

(1) REFERENCE TO SECTION 182.—Section 1923(c) of title 14, United States Code, as so redesignated by this title, is further amended by striking “section 182” and inserting “section 1922”.

(2) REFERENCES TO CHAPTER 11.—Title 14, United States Code, is further amended—

(A) in section 2146(d), as so redesignated by this title, by striking “chapter 11 of this title” and inserting “this chapter”; and

(B) in section 3739, as so redesignated by this title, by striking “chapter 11” each place that it appears and inserting “chapter 21”.

(3) REFERENCE TO CHAPTER 13.—Section 3705(b) of title 14, United States Code, as so redesignated by this title, is further amended by striking “chapter 13” and inserting “chapter 27”.

(4) REFERENCE TO CHAPTER 15.—Section 308(b)(3) of title 14, United States Code, as so redesignated by this title, is further amended by striking “chapter 15” and inserting “chapter 11”.

(5) REFERENCES TO CHAPTER 19.—Title 14, United States Code, is further amended—

(A) in section 4901(4), as so redesignated by this title, by striking “chapter 19” and inserting “section 318”; and

(B) in section 4902(4), as so redesignated by this title, by striking “chapter 19” and inserting “section 318”.

(6) REFERENCE TO CHAPTER 23.—Section 701(a) of title 14, United States Code, as so redesignated by this title, is further amended by striking “chapter 23” and inserting “chapter 39”.

SEC. 124. RULE OF CONSTRUCTION.

This title, including the amendments made by this title, is intended only to reorganize title 14, United States Code, and may not be construed to alter—

(1) the effect of a provision of title 14, United States Code, including any authority or requirement therein;

(2) a department or agency interpretation with respect to title 14, United States Code; or

(3) a judicial interpretation with respect to title 14, United States Code.

TITLE II—AUTHORIZATIONS

SEC. 201. AMENDMENTS TO TITLE 14, UNITED STATES CODE, AS AMENDED BY TITLE I OF THIS ACT.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision of title 14, United States Code, the reference shall be considered to be made to title 14, United States Code, as amended by title I of this Act.

SEC. 202. AUTHORIZATIONS OF APPROPRIATIONS.

(a) IN GENERAL.—Section 4902 of title 14, United States Code, is amended to read as follows:

“§ 4902. Authorizations of appropriations

“(a) FISCAL YEAR 2018.—Funds are authorized to be appropriated for fiscal year 2018 for necessary expenses of the Coast Guard as follows:

“(1) For the operation and maintenance of the Coast Guard, not otherwise provided for, \$7,210,313,000 for fiscal year 2018.

“(2) For the acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, aircraft, and systems, including equipment related thereto, and for maintenance, rehabilitation, lease, and oper-

ation of facilities and equipment, \$2,694,745,000 for fiscal year 2018.

“(3) For the Coast Guard Reserve program, including operations and maintenance of the program, personnel and training costs, equipment, and services, \$114,875,000 for fiscal year 2018.

“(4) For the environmental compliance and restoration functions of the Coast Guard under chapter 3 of this title, \$13,397,000 for fiscal year 2018.

“(5) To the Commandant for research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard’s mission with respect to search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, and for maintenance, rehabilitation, lease, and operation of facilities and equipment, \$29,141,000 for fiscal year 2018.

“(b) FISCAL YEAR 2019.—Funds are authorized to be appropriated for fiscal year 2019 for necessary expenses of the Coast Guard as follows:

“(1)(A) For the operation and maintenance of the Coast Guard, not otherwise provided for, \$7,914,195,000 for fiscal year 2019.

“(B) Of the amount authorized under subparagraph (A)—

“(i) \$16,701,000 shall be for environmental compliance and restoration; and

“(ii) \$199,360,000 shall be for the Coast Guard’s Medicare-eligible retiree health care fund contribution to the Department of Defense.

“(2) For the procurement, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, aircraft, and systems, including equipment related thereto, and for maintenance, rehabilitation, lease, and operation of facilities and equipment, \$2,694,745,000 for fiscal year 2019.

“(3) To the Commandant for research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard’s mission with respect to search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, and for maintenance, rehabilitation, lease, and operation of facilities and equipment, \$29,141,000 for fiscal year 2019.”.

(b) REPEAL.—On October 1, 2018—

(1) section 4902(a) of title 14, United States Code, as amended by subsection (a), shall be repealed; and

(2) subsection 4902(b) of title 14, United States Code, as amended by subsection (a), shall be amended by striking “(b) FISCAL YEAR 2019.—”.

SEC. 203. AUTHORIZED LEVELS OF MILITARY STRENGTH AND TRAINING.

Section 4904 of title 14, United States Code, is amended—

(1) in subsection (a), by striking “for each of fiscal years 2016 and 2017” and inserting “for fiscal year 2018 and 44,500 for fiscal year 2019”; and

(2) in subsection (b), by striking “fiscal years 2016 and 2017” and inserting “fiscal years 2018 and 2019”.

SEC. 204. AUTHORIZATION OF AMOUNTS FOR FAST RESPONSE CUTTERS.

(a) IN GENERAL.—Of the amounts authorized under section 4902 of title 14, United States Code, as amended by this Act, for each of fiscal years 2018 and 2019 up to \$167,500,000 is authorized for the acquisition of 3 Fast Response Cutters.

(b) TREATMENT OF ACQUIRED CUTTERS.—Any cutters acquired pursuant to subsection (a) shall be in addition to the 58 cutters approved under the existing acquisition baseline.

SEC. 205. AUTHORIZATION OF AMOUNTS FOR SHORESIDE INFRASTRUCTURE.

Of the amounts authorized under section 4902 of title 14, United States Code, as amended by this Act, for each of fiscal years 2018 and 2019

up to \$167,500,000 is authorized for the Secretary of the department in which the Coast Guard is operating to fund the acquisition, construction, rebuilding, or improvement of Coast Guard shoreside infrastructure and facilities necessary to support Coast Guard operations and readiness.

SEC. 206. AUTHORIZATION OF AMOUNTS FOR AIRCRAFT IMPROVEMENTS.

Of the amounts authorized under section 4902 of title 14, United States Code, as amended by this Act, for each of fiscal years 2018 and 2019 up to \$3,500,000 is authorized for the Secretary of the department in which the Coast Guard is operating to fund analysis and program development for improvements to or the replacement of rotary-wing aircraft.

TITLE III—COAST GUARD

SEC. 301. AMENDMENTS TO TITLE 14, UNITED STATES CODE, AS AMENDED BY TITLE I OF THIS ACT.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision of title 14, United States Code, the reference shall be considered to be made to title 14, United States Code, as amended by title I of this Act.

SEC. 302. PRIMARY DUTIES.

Section 102(7) of title 14, United States Code, is amended to read as follows:

“(7) maintain a state of readiness to assist in the defense of the United States, including when functioning as a specialized service in the Navy pursuant to section 103.”

SEC. 303. NATIONAL COAST GUARD MUSEUM.

Section 316 of title 14, United States Code, is amended to read as follows:

“§316. National Coast Guard Museum

“(a) **ESTABLISHMENT.**—The Commandant may establish a National Coast Guard Museum, on lands which will be federally owned and administered by the Coast Guard, and are located in New London, Connecticut, at, or in close proximity to, the Coast Guard Academy.

“(b) **LIMITATION ON EXPENDITURES.**—

“(1) The Secretary shall not expend any funds appropriated to the Coast Guard on the construction of any museum established under this section.

“(2) The Secretary shall fund the National Coast Guard Museum with nonappropriated and non-Federal funds to the maximum extent practicable. The priority use of Federal funds should be to preserve and protect historic Coast Guard artifacts, including the design, fabrication, and installation of exhibits or displays in which such artifacts are included.

“(3) The Secretary may expend funds appropriated to the Coast Guard on the engineering and design of a National Coast Guard Museum.

“(c) **FUNDING PLAN.**—Before the date on which the Commandant establishes a National Coast Guard Museum under subsection (a), the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a plan for constructing, operating, and maintaining such a museum, including—

“(1) estimated planning, engineering, design, construction, operation, and maintenance costs;

“(2) the extent to which appropriated, non-appropriated, and non-Federal funds will be used for such purposes, including the extent to which there is any shortfall in funding for engineering, design, or construction; and

“(3) a certification by the Inspector General of the department in which the Coast Guard is operating that the estimates provided pursuant to paragraphs (1) and (2) are reasonable and realistic.

“(d) **AUTHORITY.**—The Commandant may not establish a National Coast Guard museum except as set forth in this section.”

SEC. 304. UNMANNED AIRCRAFT.

(a) **LAND-BASED UNMANNED AIRCRAFT SYSTEM PROGRAM.**—Chapter 3 of title 14, United States

Code, is amended by adding at the end the following:

“§319. Land-based unmanned aircraft system program

“(a) **IN GENERAL.**—Subject to the availability of appropriations, the Secretary shall establish a land-based unmanned aircraft system program under the control of the Commandant.

“(b) **UNMANNED AIRCRAFT SYSTEM DEFINED.**—In this section, the term ‘unmanned aircraft system’ has the meaning given that term in section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).”

(b) **LIMITATION ON UNMANNED AIRCRAFT SYSTEMS.**—Chapter 11 of title 14, United States Code, is amended by inserting after section 1155 the following:

“§1156. Limitation on unmanned aircraft systems

“(a) **IN GENERAL.**—During any fiscal year for which funds are appropriated for the design or construction of an Offshore Patrol Cutter, the Commandant—

“(1) may not award a contract for design of an unmanned aircraft system for use by the Coast Guard; and

“(2) may lease, acquire, or acquire the services of an unmanned aircraft system only if such system—

“(A) has been part of a program of record of, procured by, or used by a Federal entity (or funds for research, development, test, and evaluation have been received from a Federal entity with regard to such system) before the date on which the Commandant leases, acquires, or acquires the services of the system; and

“(B) is leased, acquired, or utilized by the Commandant through an agreement with a Federal entity, unless such an agreement is not practicable or would be less cost-effective than an independent contract action by the Coast Guard.

“(b) **SMALL UNMANNED AIRCRAFT EXEMPTION.**—Subsection (a)(2) does not apply to small unmanned aircraft.

“(c) **DEFINITIONS.**—In this section, the terms ‘small unmanned aircraft’ and ‘unmanned aircraft system’ have the meanings given those terms in section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).”

(c) **CLERICAL AMENDMENTS.**—

(1) **CHAPTER 3.**—The analysis for chapter 3 of title 14, United States Code, is amended by adding at the end the following:

“319. Land-based unmanned aircraft system program.”

(2) **CHAPTER 11.**—The analysis for chapter 11 of title 14, United States Code, is amended by inserting after the item relating to section 1155 the following:

“1156. Limitation on unmanned aircraft systems.”

(d) **CONFORMING AMENDMENT.**—Subsection (c) of section 1105 of title 14, United States Code, is repealed.

SEC. 305. COAST GUARD HEALTH-CARE PROFESSIONALS; LICENSURE PORTABILITY.

(a) **IN GENERAL.**—Chapter 5 of title 14, United States Code, is amended by inserting after section 507 the following:

“§508. Coast Guard health-care professionals; licensure portability

“(a) **IN GENERAL.**—Notwithstanding any other provision of law regarding the licensure of health-care providers, a health-care professional described in subsection (b) may practice the health profession or professions of the health-care professional at any location in any State, the District of Columbia, or a Commonwealth, territory, or possession of the United States, regardless of where such health-care professional or the patient is located, if the practice is within the scope of the authorized Federal duties of such health-care professional.

“(b) **DESCRIBED INDIVIDUALS.**—A health-care professional described in this subsection is an individual—

“(1) who is—

“(A) a member of the Coast Guard;

“(B) a civilian employee of the Coast Guard;

“(C) a member of the Public Health Service who is assigned to the Coast Guard; or

“(D) any other health-care professional credentialed and privileged at a Federal health-care institution or location specially designated by the Secretary; and

“(2) who—

“(A) has a current license to practice medicine, osteopathic medicine, dentistry, or another health profession; and

“(B) is performing authorized duties for the Coast Guard.

“(c) **DEFINITIONS.**—In this section, the terms ‘license’ and ‘health-care professional’ have the meanings given those terms in section 1094(e) of title 10.”

(b) **CLERICAL AMENDMENT.**—The analysis for chapter 5 of title 14, United States Code, is amended by inserting after the item relating to section 507 the following:

“508. Coast Guard health-care professionals; licensure portability.”

(c) **ELECTRONIC HEALTH RECORDS.**—

(1) **SYSTEM.**—The Commandant of the Coast Guard is authorized to procure for the Coast Guard an electronic health record system that—

(A) has been competitively awarded by the Department of Defense; and

(B) ensures full integration with the Department of Defense electronic health record systems.

(2) **SUPPORT SERVICES.**—

(A) **IN GENERAL.**—The Commandant is authorized to procure support services for the electronic health record system procured under paragraph (1) necessary to ensure full integration with the Department of Defense electronic health record systems.

(B) **SCOPE.**—Support services procured pursuant to this paragraph may include services for the following:

(i) System integration support.

(ii) Hosting support.

(iii) Training, testing, technical, and data migration support.

(iv) Hardware support.

(v) Any other support the Commandant considers appropriate.

(3) **AUTHORIZED PROCUREMENT ACTIONS.**—The Commandant is authorized to procure an electronic health record system under this subsection through the following:

(A) A task order under the Department of Defense electronic health record contract.

(B) A sole source contract award.

(C) An agreement made pursuant to sections 1535 and 1536 of title 31, United States Code.

(D) A contract or other procurement vehicle otherwise authorized.

(4) **COMPETITION IN CONTRACTING; EXEMPTION.**—Procurement of an electronic health record system and support services pursuant to this subsection shall be exempt from the competition requirements of section 2304 of title 10, United States Code.

SEC. 306. TRAINING; EMERGENCY RESPONSE PROVIDERS.

(a) **IN GENERAL.**—Chapter 7 of title 14, United States Code, is amended by adding at the end the following:

“§718. Training; emergency response providers

“(a) **IN GENERAL.**—The Commandant may, on a reimbursable or a non-reimbursable basis, make a training available to emergency response providers whenever the Commandant determines that—

“(1) a member of the Coast Guard, who is scheduled to participate in such training, is unable or unavailable to participate in such training;

“(2) no other member of the Coast Guard, who is assigned to the unit to which the member of the Coast Guard who is unable or unavailable

to participate in such training is assigned, is able or available to participate in such training; and

“(3) such training, if made available to such emergency response providers, would further the goal of interoperability among Federal agencies, non-Federal governmental agencies, or both.

“(b) EMERGENCY RESPONSE PROVIDERS DEFINED.—In this section, the term ‘emergency response providers’ has the meaning given that term in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101).

“(c) TREATMENT OF REIMBURSEMENT.—Any reimbursements for a training that the Coast Guard receives under this section shall be credited to the appropriation used to pay the costs for such training.

“(d) STATUS; LIMITATION ON LIABILITY.—

“(1) STATUS.—Any individual to whom, as an emergency response provider, training is made available under this section, who is not otherwise a Federal employee, shall not, because of that training, be considered a Federal employee for any purpose (including the purposes of chapter 81 of title 5 (relating to compensation for injury) and sections 2671 through 2680 of title 28 (relating to tort claims)).

“(2) LIMITATION ON LIABILITY.—The United States shall not be liable for actions taken by an individual in the course of training made available under this section.”

(b) CLERICAL AMENDMENT.—The analysis for chapter 7 of title 14, United States Code, is amended by adding at the end the following:

“718. Training; emergency response providers.”.

SEC. 307. INCENTIVE CONTRACTS FOR COAST GUARD YARD AND INDUSTRIAL ESTABLISHMENTS.

Section 939 of title 14, United States Code, is amended—

(1) by inserting before “The Secretary may” the following: “(a) IN GENERAL.—”;

(2) in subsection (a), as so designated by paragraph (1) of this section, by striking the period at the end of the last sentence and inserting “or in accordance with subsection (b).”; and

(3) by adding at the end the following:

“(b) INCENTIVE CONTRACTS.—

“(1) The parties to an order for industrial work to be performed by the Coast Guard Yard or a Coast Guard industrial establishment designated under subsection (a) may enter into an order or a cost-plus-incentive-fee order in accordance with this subsection.

“(2) If such parties enter into such an order or a cost-plus-incentive-fee order, an agreed-upon amount of any adjustment described in subsection (a) may be distributed as an incentive to the wage-grade industrial employees who complete the order.

“(3) Before entering into such an order or cost-plus-incentive-fee order such parties must agree that the wage-grade employees of the Coast Guard Yard or Coast Guard industrial establishment will take action to improve the delivery schedule or technical performance agreed to in the order for industrial work to which such parties initially agreed.

“(4) Notwithstanding any other provision of law, if the industrial workforce of the Coast Guard Yard or Coast Guard industrial establishment satisfies the performance target established in such an order or cost-plus-incentive-fee order—

“(A) the adjustment to be made pursuant to subsection (a) shall be reduced by an agreed-upon amount and distributed to such wage-grade industrial employees; and

“(B) the remainder of the adjustment shall be credited to the appropriation for such order current at that time.”.

SEC. 308. CONFIDENTIAL INVESTIGATIVE EXPENSES.

Section 944 of title 14, United States Code, is amended by striking “\$45,000” and inserting “\$250,000”.

SEC. 309. REGULAR CAPTAINS; RETIREMENT.

Section 2149(a) of title 14, United States Code, is amended—

(1) by striking “zone is” and inserting “zone, or from being placed at the top of the list of selectees promulgated by the Secretary under section 2121(a) of this title, is”; and

(2) by striking the period at the end and inserting “or placed at the top of the list of selectees, as applicable.”.

SEC. 310. CONVERSION, ALTERATION, AND REPAIR PROJECTS.

(a) IN GENERAL.—Chapter 9 of title 14, United States Code, as amended by this Act, is further amended by inserting after section 951 the following:

“§952. Construction of Coast Guard vessels and assignment of vessel projects

“The assignment of Coast Guard vessel conversion, alteration, and repair projects shall be based on economic and military considerations and may not be restricted by a requirement that certain parts of Coast Guard shipwork be assigned to a particular type of shipyard or geographical area or by a similar requirement.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 9 of title 14, United States Code, is amended by inserting after the item relating to section 951 the following:

“952. Construction of Coast Guard vessels and assignment of vessel projects.”.

SEC. 311. CONTRACTING FOR MAJOR ACQUISITIONS PROGRAMS.

(a) GENERAL ACQUISITION AUTHORITY.—Section 501(d) of title 14, United States Code, is amended by inserting “aircraft, and systems,” after “vessels.”.

(b) CONTRACTING AUTHORITY.—Chapter 11 of title 14, United States Code, as amended by this Act, is further amended by inserting after section 1136 the following:

“§1137. Contracting for major acquisitions programs

“(a) IN GENERAL.—In carrying out authorities provided to the Secretary to design, construct, accept, or otherwise acquire assets and systems under section 501(d), the Secretary, acting through the Commandant or the head of an integrated program office established for a major acquisition program, may enter into contracts for a major acquisition program.

“(b) AUTHORIZED METHODS.—Contracts entered into under subsection (a)—

“(1) may be block buy contracts;

“(2) may be incrementally funded;

“(3) may include combined purchases, also known as economic order quantity purchases, of—

“(A) materials and components; and

“(B) long lead time materials; and

“(4) as provided in section 2306b of title 10, may be multiyear contracts.

“(c) SUBJECT TO APPROPRIATIONS.—Any contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of amounts specifically provided in advance for that purpose in subsequent appropriations Acts.”.

(c) CLERICAL AMENDMENT.—The analysis for chapter 11 of title 14, United States Code, as amended by this Act, is further amended by inserting after the item relating to section 1136 the following:

“1137. Contracting for major acquisitions programs.”.

(d) CONFORMING AMENDMENTS.—The following provisions are repealed:

(1) Section 223 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (14 U.S.C. 1152 note), and the item relating to that section in the table of contents in section 2 of such Act.

(2) Section 221(a) of the Coast Guard and Maritime Transportation Act of 2012 (14 U.S.C. 1133 note).

(3) Section 207(a) of the Coast Guard Authorization Act of 2016 (14 U.S.C. 561 note).

(e) INTERNAL REGULATIONS AND POLICY.—Not later than 180 days after the date of enactment

of this Act, the Secretary of the department in which the Coast Guard is operating shall establish the internal regulations and policies necessary to exercise the authorities provided under this section, including the amendments made in this section.

(f) MULTIYEAR CONTRACTS.—The Secretary of the department in which the Coast Guard is operating is authorized to enter into a multiyear contract for the procurement of a tenth, eleventh, and twelfth National Security Cutter and associated government-furnished equipment.

SEC. 312. OFFICER PROMOTION ZONES.

Section 2111(a) of title 14, United States Code, is amended by striking “six-tenths.” and inserting “one-half.”.

SEC. 313. CROSS REFERENCE.

Section 2129(a) of title 14, United States Code, is amended by inserting “designated under section 2317” after “cadet”.

SEC. 314. COMMISSIONED SERVICE RETIREMENT.

For Coast Guard officers who retire in fiscal year 2018 or 2019, the President may reduce the period of active commissioned service required under section 2152 of title 14, United States Code, to a period of not less than 8 years.

SEC. 315. LEAVE FOR BIRTH OR ADOPTION OF CHILD.

(a) POLICY.—Section 2512 of title 14, United States Code, is amended—

(1) by striking “Not later than 1 year” and inserting the following:

“(a) IN GENERAL.—Except as provided in subsection (b), not later than 1 year”; and

(2) by adding at the end the following:

“(b) LEAVE ASSOCIATED WITH BIRTH OR ADOPTION OF CHILD.—Notwithstanding subsection (a), sections 701 and 704 of title 10, or any other provision of law, all officers and enlisted members of the Coast Guard shall be authorized leave associated with the birth or adoption of a child during the 1-year period immediately following such birth or adoption and, at the discretion of the Commanding Officer, such officer or enlisted member shall be permitted—

“(1) to take such leave in increments; and

“(2) to use flexible work schedules (pursuant to a program established by the Secretary in accordance with chapter 61 of title 5).”.

(b) FLEXIBLE WORK SCHEDULES.—Not later than 180 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall ensure that a flexible work schedule program under chapter 61 of title 5, United States Code, is in place for officers and enlisted members of the Coast Guard.

SEC. 316. CLOTHING AT TIME OF DISCHARGE.

Section 2705 of title 14, United States Code, and the item relating to that section in the analysis for chapter 27 of that title, are repealed.

SEC. 317. UNFUNDED PRIORITIES LIST.

(a) IN GENERAL.—Section 5102 of title 14, United States Code, is amended—

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

“(a) IN GENERAL.—Not later than 60 days after the date on which the President submits to Congress a budget pursuant to section 1105 of title 31, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a capital investment plan for the Coast Guard that identifies for each capital asset for which appropriations are proposed in that budget—

“(1) the proposed appropriations included in the budget;

“(2) the total estimated cost of completion based on the proposed appropriations included in the budget;

“(3) projected funding levels for each fiscal year for the next 5 fiscal years or until project completion, whichever is earlier;

“(4) an estimated completion date based on the proposed appropriations included in the budget;

“(5) an acquisition program baseline, as applicable; and

“(6) projected commissioning and decommissioning dates for each asset.”; and

(2) by striking subsection (c) and inserting the following:

“(c) DEFINITIONS.—In this section, the term ‘new capital asset’ means—

“(1) an acquisition program that does not have an approved acquisition program baseline; or

“(2) the acquisition of a capital asset in excess of the number included in the approved acquisition program baseline.”.

(b) UNFUNDED PRIORITIES.—Chapter 51 of title 14, United States Code, is amended by adding at the end the following:

“§5108. Unfunded priorities list

“(a) IN GENERAL.—Not later than 60 days after the date on which the President submits to Congress a budget pursuant to section 1105 of title 31, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a list of each unfunded priority for the Coast Guard.

“(b) PRIORITIZATION.—The list required under subsection (a) shall present the unfunded priorities in order from the highest priority to the lowest, as determined by the Commandant.

“(c) UNFUNDED PRIORITY DEFINED.—In this section, the term ‘unfunded priority’ means a program or mission requirement that—

“(1) has not been selected for funding in the applicable proposed budget;

“(2) is necessary to fulfill a requirement associated with an operational need; and

“(3) the Commandant would have recommended for inclusion in the applicable proposed budget had additional resources been available or had the requirement emerged before the budget was submitted.”.

(c) CLERICAL AMENDMENT.—The analysis for chapter 51 of title 14, United States Code, is amended by adding at the end the following:

“5108. Unfunded priorities list.”.

SEC. 318. SAFETY OF VESSELS OF THE ARMED FORCES.

(a) IN GENERAL.—Section 527 of title 14, United States Code, is amended—

(1) in the heading, by striking “naval vessels” and inserting “vessels of the Armed Forces”;

(2) in subsection (a), by striking “United States naval vessel” and inserting “vessel of the Armed Forces”;

(3) in subsection (b)—

(A) by striking “senior naval officer present in command” and inserting “senior officer present in command”; and

(B) by striking “United States naval vessel” and inserting “vessel of the Armed Forces”; and

(4) by adding at the end the following:

“(e) For purposes of this title, the term ‘vessel of the Armed Forces’ means—

“(1) any vessel owned or operated by the Department of Defense or the Coast Guard, other than a time- or voyage-chartered vessel; and

“(2) any vessel owned and operated by the Department of Transportation that is designated by the Secretary of the department in which the Coast Guard is operating as a vessel equivalent to a vessel described in paragraph (1).”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 5 of title 14, United States Code, is further amended by striking the item relating to section 527 and inserting the following:

“527. Safety of vessels of the Armed Forces.”.

(c) CONFORMING AMENDMENTS.—Section 2510(a)(1) of title 14, United States Code, is amended—

(1) by striking “armed forces” and inserting “Armed Forces”; and

(2) by striking “section 101(a) of title 10” and inserting “section 527(e)”.

SEC. 319. AIR FACILITIES.

Section 912 of title 14, United States Code, is amended—

(1) by striking subsection (a);

(2) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively;

(3) in subsection (a) as redesignated—

(A) by amending paragraph (3) to read as follows:

“(3) PUBLIC NOTICE AND COMMENT.—

“(A) IN GENERAL.—Prior to closing an air facility, the Secretary shall provide opportunities for public comment, including the convening of public meetings in communities in the area of responsibility of the air facility with regard to the proposed closure or cessation of operations at the air facility.

“(B) PUBLIC MEETINGS.—Prior to convening a public meeting under subparagraph (A), the Secretary shall notify each congressional office representing any portion of the area of responsibility of the air station that is the subject to such public meeting of the schedule and location of such public meeting.”;

(B) in paragraph (4)—

(i) in the matter preceding subparagraph (A) by striking “2015” and inserting “2017”; and

(ii) by amending subparagraph (A) to read as follows:

“(A) submit to the Congress a proposal for such closure, cessation, or reduction in operations along with the budget of the President submitted to Congress under section 1105(a) of title 31 that includes—

“(i) a discussion of the determination made by the Secretary pursuant to paragraph (2); and

“(ii) a report summarizing the public comments received by the Secretary under paragraph (3)”;

(C) by adding at the end the following:

“(5) CONGRESSIONAL REVIEW.—The Secretary may not close, cease operations, or significantly reduce personnel and use of a Coast Guard air facility for which a written notice is provided under paragraph (4)(A) until a period of 18 months beginning on the date on which such notice is provided has elapsed.”.

TITLE IV—PORTS AND WATERWAYS SAFETY

SEC. 401. CODIFICATION OF PORTS AND WATERWAYS SAFETY ACT.

(a) CODIFICATION.—Subtitle VII of title 46, United States Code, is amended by inserting before chapter 701 the following:

“CHAPTER 700—PORTS AND WATERWAYS SAFETY

“SUBCHAPTER A—VESSEL OPERATIONS

“70001. Vessel traffic services.

“70002. Special powers.

“70003. Port access routes.

“70004. Considerations by Secretary.

“70005. International agreements.

“SUBCHAPTER B—PORTS AND WATERWAYS SAFETY

“70011. Waterfront safety.

“70012. Navigational hazards.

“70013. Requirement to notify Coast Guard of release of objects into the navigable waters of the United States.

“SUBCHAPTER C—CONDITION FOR ENTRY INTO PORTS IN THE UNITED STATES

“70021. Conditions for entry to ports in the United States.

“SUBCHAPTER D—DEFINITIONS, REGULATIONS, ENFORCEMENT, INVESTIGATORY POWERS, APPLICABILITY

“70031. Definitions.

“70032. Saint Lawrence Seaway.

“70033. Limitation on application to foreign vessels.

“70034. Regulations.

“70035. Investigatory powers.

“70036. Enforcement.

“SUBCHAPTER I—VESSEL OPERATIONS

“§ 70001. Vessel traffic services

“(a) Subject to the requirements of section 70004, the Secretary—

“(1) in any port or place under the jurisdiction of the United States, in the navigable waters of the United States, or in any area covered by an international agreement negotiated pursuant to section 70005, may construct, operate, maintain, improve, or expand vessel traffic services, that consist of measures for controlling or supervising vessel traffic or for protecting navigation and the marine environment and that may include one or more of reporting and operating requirements, surveillance and communications systems, routing systems, and fairways;

“(2) shall require appropriate vessels that operate in an area of a vessel traffic service to utilize or comply with that service;

“(3)(A) may require vessels to install and use specified navigation equipment, communications equipment, electronic relative motion analyzer equipment, or any electronic or other device necessary to comply with a vessel traffic service or that is necessary in the interests of vessel safety.

“(B) Notwithstanding subparagraph (A), the Secretary shall not require fishing vessels under 300 gross tons as measured under section 14502, or an alternate tonnage measured under section 14302 as prescribed by the Secretary under section 14104, or recreational vessels 65 feet or less to possess or use the equipment or devices required by this subsection solely under the authority of this chapter;

“(4) may control vessel traffic in areas subject to the jurisdiction of the United States that the Secretary determines to be hazardous, or under conditions of reduced visibility, adverse weather, vessel congestion, or other hazardous circumstances, by—

“(A) specifying times of entry, movement, or departure;

“(B) establishing vessel traffic routing schemes;

“(C) establishing vessel size, speed, or draft limitations and vessel operating conditions; and

“(D) restricting operation, in any hazardous area or under hazardous conditions, to vessels that have particular operating characteristics or capabilities that the Secretary considers necessary for safe operation under the circumstances;

“(5) may require the receipt of prearrival messages from any vessel, destined for a port or place subject to the jurisdiction of the United States, in sufficient time to permit advance vessel traffic planning before port entry, which shall include any information that is not already a matter of record and that the Secretary determines necessary for the control of the vessel and the safety of the port or the marine environment; and

“(6) may prohibit the use on vessels of electronic or other devices that interfere with communication and navigation equipment, except that such authority shall not apply to electronic or other devices certified to transmit in the maritime services by the Federal Communications Commission and used within the frequency bands 157.1875–157.4375 MHz and 161.7875–162.0375 MHz.

“(b) COOPERATIVE AGREEMENTS.—

“(1) IN GENERAL.—The Secretary may enter into cooperative agreements with public or private agencies, authorities, associations, institutions, corporations, organizations, or other persons to carry out the functions under subsection (a)(1).

“(2) LIMITATION.—

“(A) A nongovernmental entity may not under this subsection carry out an inherently governmental function.

“(B) As used in this paragraph, the term ‘inherently governmental function’ means any activity that is so intimately related to the public interest as to mandate performance by an officer or employee of the Federal Government, including an activity that requires either the exercise of discretion in applying the authority of the Government or the use of judgment in making a decision for the Government.

“(c) **LIMITATION OF LIABILITY FOR COAST GUARD VESSEL TRAFFIC SERVICE PILOTS AND NON-FEDERAL VESSEL TRAFFIC SERVICE OPERATORS.**—

“(1) **COAST GUARD VESSEL TRAFFIC SERVICE PILOTS.**—Any pilot, acting in the course and scope of his or her duties while at a Coast Guard Vessel Traffic Service, who provides information, advice, or communication assistance while under the supervision of a Coast Guard officer, member, or employee shall not be liable for damages caused by or related to such assistance unless the acts or omissions of such pilot constitute gross negligence or willful misconduct.

“(2) **NON-FEDERAL VESSEL TRAFFIC SERVICE OPERATORS.**—An entity operating a non-Federal vessel traffic information service or advisory service pursuant to a duly executed written agreement with the Coast Guard, and any pilot acting on behalf of such entity, is not liable for damages caused by or related to information, advice, or communication assistance provided by such entity or pilot while so operating or acting unless the acts or omissions of such entity or pilot constitute gross negligence or willful misconduct.

“**§ 70002. Special powers**

“The Secretary may order any vessel, in a port or place subject to the jurisdiction of the United States or in the navigable waters of the United States, to operate or anchor in a manner the Secretary directs if—

“(1) the Secretary has reasonable cause to believe such vessel does not comply with any regulation issued under section 70034 or any other applicable law or treaty;

“(2) the Secretary determines such vessel does not satisfy the conditions for port entry set forth in section 70021 of this title; or

“(3) by reason of weather, visibility, sea conditions, port congestion, other hazardous circumstances, or the condition of such vessel, the Secretary is satisfied such direction is justified in the interest of safety.

“**§ 70003. Port access routes**

“(a) **AUTHORITY TO DESIGNATE.**—Except as provided in subsection (b) and subject to the requirements of subsection (c), in order to provide safe access routes for the movement of vessel traffic proceeding to or from ports or places subject to the jurisdiction of the United States, the Secretary shall designate necessary fairways and traffic separation schemes for vessels operating in the territorial sea of the United States and in high seas approaches, outside the territorial sea, to such ports or places. Such a designation shall recognize, within the designated area, the paramount right of navigation over all other uses.

“(b) **LIMITATION.**—

“(1) **IN GENERAL.**—No designation may be made by the Secretary under this section if—

“(A) the Secretary determines such a designation, as implemented, would deprive any person of the effective exercise of a right granted by a lease or permit executed or issued under other applicable provisions of law; and

“(B) such right has become vested before the time of publication of the notice required by paragraph (1) of subsection (c).

“(2) **CONSULTATION REQUIRED.**—The Secretary shall make the determination under paragraph (1)(A) after consultation with the head of the agency responsible for executing the lease or issuing the permit.

“(c) **CONSIDERATION OF OTHER USES.**—Before making a designation under subsection (a), and in accordance with the requirements of section 70004, the Secretary shall—

“(1) undertake a study of the potential traffic density and the need for safe access routes for vessels in any area for which fairways or traffic separation schemes are proposed or that may otherwise be considered and publish notice of such undertaking in the Federal Register;

“(2) in consultation with the Secretary of State, the Secretary of the Interior, the Sec-

retary of Commerce, the Secretary of the Army, and the Governors of affected States, as their responsibilities may require, take into account all other uses of the area under consideration, including, as appropriate, the exploration for, or exploitation of, oil, gas, or other mineral resources, the construction or operation of deep-water ports or other structures on or above the seabed or subsoil of the submerged lands or the Outer Continental Shelf of the United States, the establishment or operation of marine or estuarine sanctuaries, and activities involving recreational or commercial fishing; and

“(3) to the extent practicable, reconcile the need for safe access routes with the needs of all other reasonable uses of the area involved.

“(d) **STUDY.**—In carrying out the Secretary's responsibilities under subsection (c), the Secretary shall—

“(1) proceed expeditiously to complete any study undertaken; and

“(2) after completion of such a study, promptly—

“(A) issue a notice of proposed rulemaking for the designation contemplated; or

“(B) publish in the Federal Register a notice that no designation is contemplated as a result of the study and the reason for such determination.

“(e) **IMPLEMENTATION OF DESIGNATION.**—In connection with a designation made under this section, the Secretary—

“(1) shall issue reasonable rules and regulations governing the use of such designated areas, including rules and regulations regarding the applicability of rules 9 and 10 of the International Regulations for Preventing Collisions at Sea, 1972, relating to narrow channels and traffic separation schemes, respectively, in waters where such regulations apply;

“(2) to the extent that the Secretary finds reasonable and necessary to effectuate the purposes of the designation, make the use of designated fairways and traffic separation schemes mandatory for specific types and sizes of vessels, foreign and domestic, operating in the territorial sea of the United States and for specific types and sizes of vessels of the United States operating on the high seas beyond the territorial sea of the United States;

“(3) may, from time to time, as necessary, adjust the location or limits of designated fairways or traffic separation schemes in order to accommodate the needs of other uses that cannot be reasonably accommodated otherwise, except that such an adjustment may not, in the judgment of the Secretary, unacceptably adversely affect the purpose for which the existing designation was made and the need for which continues; and

“(4) shall, through appropriate channels—

“(A) notify cognizant international organizations of any designation, or adjustment thereof; and

“(B) take action to seek the cooperation of foreign States in making it mandatory for vessels under their control to use, to the same extent as required by the Secretary for vessels of the United States, any fairway or traffic separation scheme designated under this section in any area of the high seas.

“**§ 70004. Considerations by Secretary**

“In carrying out the duties of the Secretary under sections 70001, 70002, and 70003, the Secretary shall—

“(1) take into account all relevant factors concerning navigation and vessel safety, protection of the marine environment, and the safety and security of United States ports and waterways, including—

“(A) the scope and degree of the risk or hazard involved;

“(B) vessel traffic characteristics and trends, including traffic volume, the sizes and types of vessels involved, potential interference with the flow of commercial traffic, the presence of any unusual cargoes, and other similar factors;

“(C) port and waterway configurations and variations in local conditions of geography, climate, and other similar factors;

“(D) the need for granting exemptions for the installation and use of equipment or devices for use with vessel traffic services for certain classes of small vessels, such as self-propelled fishing vessels and recreational vessels;

“(E) the proximity of fishing grounds, oil and gas drilling and production operations, or any other potential or actual conflicting activity;

“(F) environmental factors;

“(G) economic impact and effects;

“(H) existing vessel traffic services; and

“(I) local practices and customs, including voluntary arrangements and agreements within the maritime community; and

“(2) at the earliest possible time, consult with and receive and consider the views of representatives of the maritime community, ports and harbor authorities or associations, environmental groups, and other persons who may be affected by the proposed actions.

“**§ 70005. International agreements**

“(a) **TRANSMITTAL OF REGULATIONS.**—The Secretary shall transmit, via the Secretary of State, to appropriate international bodies or forums, any regulations issued under this subchapter, for consideration as international standards.

“(b) **AGREEMENTS.**—The President is authorized and encouraged to—

“(1) enter into negotiations and conclude and execute agreements with neighboring nations, to establish compatible vessel standards and vessel traffic services, and to establish, operate, and maintain international vessel traffic services, in areas and under circumstances of mutual concern; and

“(2) enter into negotiations, through appropriate international bodies, and conclude and execute agreements to establish vessel traffic services in appropriate areas of the high seas.

“(c) **OPERATIONS.**—The Secretary, pursuant to any agreement negotiated under subsection (b) that is binding upon the United States in accordance with constitutional requirements, may—

“(1) require vessels operating in an area of a vessel traffic service to utilize or to comply with the vessel traffic service, including the carrying or installation of equipment and devices as necessary for the use of the service; and

“(2) waive, by order or regulation, the application of any United States law or regulation concerning the design, construction, operation, equipment, personnel qualifications, and manning standards for vessels operating in waters over which the United States exercises jurisdiction if such vessel is not en route to or from a United States port or place, and if vessels en route to or from a United States port or place are accorded equivalent waivers of laws and regulations of the neighboring nation, when operating in waters over which that nation exercises jurisdiction.

“(d) **SHIP REPORTING SYSTEMS.**—The Secretary, in cooperation with the International Maritime Organization, may implement and enforce two mandatory ship reporting systems, consistent with international law, with respect to vessels subject to such reporting systems entering the following areas of the Atlantic Ocean:

“(1) Cape Cod Bay, Massachusetts Bay, and Great South Channel (in the area generally bounded by a line starting from a point on Cape Ann, Massachusetts at 42 deg. 39' N., 70 deg. 37' W; then northeast to 42 deg. 45' N., 70 deg. 13' W; then southeast to 42 deg. 10' N., 68 deg. 31' W, then south to 41 deg. 00' N., 68 deg. 31' W; then west to 41 deg. 00' N., 69 deg. 17' W; then northeast to 42 deg. 05' N., 70 deg. 02' W, then west to 42 deg. 04' N., 70 deg. 10' W; and then along the Massachusetts shoreline of Cape Cod Bay and Massachusetts Bay back to the point on Cape Ann at 42 deg. 39' N., 70 deg. 37' W).

“(2) In the coastal waters of the Southeastern United States within about 25 nm along a 90 nm stretch of the Atlantic seaboard (in an area generally extending from the shoreline east to longitude 80 deg. 51.6' W with the southern and

northern boundary at latitudes 30 deg. 00' N., 31 deg. 27' N., respectively).

“SUBCHAPTER II—PORTS AND WATERWAYS SAFETY

“§70011. Waterfront safety

“(a) IN GENERAL.—The Secretary may take such action as is necessary to—

“(1) prevent damage to, or the destruction of, any bridge or other structure on or in the navigable waters of the United States, or any land structure or shore area immediately adjacent to such waters; and

“(2) protect the navigable waters and the resources therein from harm resulting from vessel or structure damage, destruction, or loss.

“(b) ACTIONS AUTHORIZED.—Actions authorized by subsection (a) include—

“(1) establishing procedures, measures, and standards for the handling, loading, unloading, storage, stowage, and movement on a structure (including the emergency removal, control, and disposition) of explosives or other dangerous articles and substances, including oil or hazardous material as those terms are defined in section 2101;

“(2) prescribing minimum safety equipment requirements for a structure to assure adequate protection from fire, explosion, natural disaster, and other serious accidents or casualties;

“(3) establishing water or waterfront safety zones, or other measures, for limited, controlled, or conditional access and activity when necessary for the protection of any vessel, structure, waters, or shore area; and

“(4) establishing procedures for examination to assure compliance with the requirements prescribed under this section.

“(c) STATE LAW.—Nothing in this section, with respect to structures, prohibits a State or political subdivision thereof from prescribing higher safety equipment requirements or safety standards than those that may be prescribed by regulations under this section.

“§70012. Navigational hazards

“(a) REPORTING PROCEDURE.—The Secretary shall establish a program to encourage fishermen and other vessel operators to report potential or existing navigational hazards involving pipelines to the Secretary through Coast Guard field offices.

“(b) SECRETARY’S RESPONSE.—

“(1) NOTIFICATION BY THE OPERATOR OF A PIPELINE.—Upon notification by the operator of a pipeline of a hazard to navigation with respect to that pipeline, the Secretary shall immediately notify Coast Guard headquarters, the Pipeline and Hazardous Materials Safety Administration, other affected Federal and State agencies, and vessel owners and operators in the pipeline’s vicinity.

“(2) NOTIFICATION BY OTHER PERSONS.—Upon notification by any other person of a hazard or potential hazard to navigation with respect to a pipeline, the Secretary shall promptly determine whether a hazard exists, and if so shall immediately notify Coast Guard headquarters, the Pipeline and Hazardous Materials Safety Administration, other affected Federal and State agencies, vessel owners and operators in the pipeline’s vicinity, and the owner and operator of the pipeline.

“(c) PIPELINE DEFINED.—For purposes of this section, the term ‘pipeline’ has the meaning given the term ‘pipeline facility’ in section 60101(a)(18) of title 49.

“§70013. Requirement to notify Coast Guard of release of objects into the navigable waters of the United States

“(a) REQUIREMENT.—As soon as a person has knowledge of any release from a vessel or facility into the navigable waters of the United States of any object that creates an obstruction prohibited under section 10 of the Act of March 3, 1899, popularly known as the Rivers and Harbors Appropriations Act of 1899 (33 U.S.C. 403), such person shall notify the Secretary and the Secretary of the Army of such release.

“(b) RESTRICTION ON USE OF NOTIFICATION.—Any notification provided by an individual in accordance with subsection (a) may not be used against such individual in any criminal case, except a prosecution for perjury or for giving a false statement.

“SUBCHAPTER III—CONDITION FOR ENTRY INTO PORTS IN THE UNITED STATES

“§70021. Conditions for entry to ports in the United States

“(a) IN GENERAL.—No vessel that is subject to chapter 37 shall operate in the navigable waters of the United States or transfer cargo or residue in any port or place under the jurisdiction of the United States, if such vessel—

“(1) has a history of accidents, pollution incidents, or serious repair problems that, as determined by the Secretary, creates reason to believe that such vessel may be unsafe or may create a threat to the marine environment;

“(2) fails to comply with any applicable regulation issued under section 70034, chapter 37, or any other applicable law or treaty;

“(3) discharges oil or hazardous material in violation of any law of the United States or in a manner or quantities inconsistent with any treaty to which the United States is a party;

“(4) does not comply with any applicable vessel traffic service requirements;

“(5) is manned by one or more officers who are licensed by a certificating State that the Secretary has determined, pursuant to section 9101 of title 46, does not have standards for licensing and certification of seafarers that are comparable to or more stringent than United States standards or international standards that are accepted by the United States;

“(6) is not manned in compliance with manning levels as determined by the Secretary to be necessary to insure the safe navigation of the vessel; or

“(7) while underway, does not have at least one licensed deck officer on the navigation bridge who is capable of clearly understanding English.

“(b) EXCEPTIONS.—

“(1) IN GENERAL.—The Secretary may allow provisional entry of a vessel that is not in compliance with subsection (a), if the owner or operator of such vessel proves, to the satisfaction of the Secretary, that such vessel is not unsafe or a threat to the marine environment, and if such entry is necessary for the safety of the vessel or persons aboard.

“(2) PROVISIONS NOT APPLICABLE.—Paragraphs (1), (2), (3), and (4) of subsection (a) of this section shall not apply to a vessel allowed provisional entry under paragraph (1) if the owner or operator of such vessel proves, to the satisfaction of the Secretary, that such vessel is no longer unsafe or a threat to the marine environment, and is no longer in violation of any applicable law, treaty, regulation, or condition, as appropriate.

“SUBCHAPTER IV—DEFINITIONS, REGULATIONS, ENFORCEMENT, INVESTIGATORY POWERS, APPLICABILITY

“§70031. Definitions

“As used in subchapters A through C and this subchapter, unless the context otherwise requires:

“(1) The term ‘marine environment’ means—

“(A) the navigable waters of the United States and the land and resources therein and thereunder;

“(B) the waters and fishery resources of any area over which the United States asserts exclusive fishery management authority;

“(C) the seabed and subsoil of the Outer Continental Shelf of the United States, the resources thereof, and the waters superjacent thereto; and

“(D) the recreational, economic, and scenic values of such waters and resources.

“(2) The term ‘Secretary’ means the Secretary of the department in which the Coast Guard is

operating, except that such term means the Secretary of Transportation with respect to the application of this chapter to the Saint Lawrence Seaway.

“(3) The term ‘navigable waters of the United States’ includes all waters of the territorial sea of the United States as described in Presidential Proclamation No. 5928 of December 27, 1988.

“§70032. Saint Lawrence Seaway

“The authority granted to the Secretary under sections 70001, 70002, 70003, 70004, and 70011 may not be delegated with respect to the Saint Lawrence Seaway to any agency other than the Saint Lawrence Seaway Development Corporation. Any other authority granted the Secretary under subchapters A through C and this subchapter shall be delegated by the Secretary to the Saint Lawrence Seaway Development Corporation to the extent the Secretary determines such delegation is necessary for the proper operation of the Saint Lawrence Seaway.

“§70033. Limitation on application to foreign vessels

“Except pursuant to international treaty, convention, or agreement, to which the United States is a party, subchapters A through C and this subchapter shall not apply to any foreign vessel that is not destined for, or departing from, a port or place subject to the jurisdiction of the United States and that is in—

“(1) innocent passage through the territorial sea of the United States; or

“(2) transit through the navigable waters of the United States that form a part of an international strait.

“§70034. Regulations

“(a) IN GENERAL.—In accordance with section 553 of title 5, the Secretary shall issue, and may from time to time amend or repeal, regulations necessary to implement subchapters A through C and this subchapter.

“(b) CONSULTATION.—In the exercise of the regulatory authority under subchapters A through C and this subchapter, the Secretary shall consult with, and receive and consider the views of all interested persons, including—

“(1) interested Federal departments and agencies;

“(2) officials of State and local governments;

“(3) representatives of the maritime community;

“(4) representatives of port and harbor authorities or associations;

“(5) representatives of environmental groups;

“(6) any other interested persons who are knowledgeable or experienced in dealing with problems involving vessel safety, port and waterways safety, and protection of the marine environment; and

“(7) advisory committees consisting of all interested segments of the public when the establishment of such committees is considered necessary because the issues involved are highly complex or controversial.

“§70035. Investigatory powers

“(a) SECRETARY.—The Secretary may investigate any incident, accident, or act involving the loss or destruction of, or damage to, any structure subject to subchapters A through C and this subchapter, or that affects or may affect the safety or environmental quality of the ports, harbors, or navigable waters of the United States.

“(b) POWERS.—In an investigation under this section, the Secretary may issue subpoenas to require the attendance of witnesses and the production of documents or other evidence relating to such incident, accident, or act. If any person refuses to obey a subpoena, the Secretary may request the Attorney General to invoke the aid of the appropriate district court of the United States to compel compliance with the subpoena. Any district court of the United States may, in the case of refusal to obey a subpoena, issue an order requiring compliance with the subpoena, and failure to obey the order may be punished

by the court as contempt. Witnesses may be paid fees for travel and attendance at rates not exceeding those allowed in a district court of the United States.

“§ 70036. Enforcement

“(a) CIVIL PENALTY.—

“(1) IN GENERAL.—Any person who is found by the Secretary, after notice and an opportunity for a hearing, to have violated subchapters A through C or this subchapter or a regulation issued under subchapters A through C or this subchapter shall be liable to the United States for a civil penalty, not to exceed \$25,000 for each violation. Each day of a continuing violation shall constitute a separate violation. The amount of such civil penalty shall be assessed by the Secretary, or the Secretary’s designee, by written notice. In determining the amount of such penalty, the Secretary shall take into account the nature, circumstances, extent, and gravity of the prohibited acts committed and, with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay, and such other matters as justice may require.

“(2) COMPROMISE, MODIFICATION, OR REMISSION.—The Secretary may compromise, modify, or remit, with or without conditions, any civil penalty that is subject to imposition or that has been imposed under this section.

“(3) FAILURE TO PAY PENALTY.—If any person fails to pay an assessment of a civil penalty after it has become final, the Secretary may refer the matter to the Attorney General of the United States, for collection in any appropriate district court of the United States.

“(b) CRIMINAL PENALTY.—

“(1) CLASS D FELONY.—Any person who willfully and knowingly violates subchapters A through C or this subchapter or any regulation issued thereunder commits a class D felony.

“(2) CLASS C FELONY.—Any person who, in the willful and knowing violation of subchapters A through C or this subchapter or of any regulation issued thereunder, uses a dangerous weapon, or engages in conduct that causes bodily injury or fear of imminent bodily injury to any officer authorized to enforce the provisions of such a subchapter or the regulations issued under such subchapter, commits a class C felony.

“(c) IN REM LIABILITY.—Any vessel that is used in violation of subchapters A, B, or C or this subchapter, or any regulations issued under such subchapter, shall be liable in rem for any civil penalty assessed pursuant to subsection (a) and may be proceeded against in the United States district court for any district in which such vessel may be found.

“(d) INJUNCTION.—The United States district courts shall have jurisdiction to restrain violations of subchapter A, B, or C or this subchapter or of regulations issued under such subchapter, for cause shown.

“(e) DENIAL OF ENTRY.—Except as provided in section 70021, the Secretary may, subject to recognized principles of international law, deny entry by any vessel that is not in compliance with subchapter A, B, or C or this subchapter or the regulations issued under such subchapter—

“(1) into the navigable waters of the United States; or

“(2) to any port or place under the jurisdiction of the United States.

“(f) WITHHOLDING OF CLEARANCE.—

“(1) IN GENERAL.—If any owner, operator, or individual in charge of a vessel is liable for a penalty or fine under this section, or if reasonable cause exists to believe that the owner, operator, or individual in charge may be subject to a penalty or fine under this section, the Secretary of the Treasury, upon the request of the Secretary, shall with respect to such vessel refuse or revoke any clearance required by section 60105 of title 46.

“(2) GRANTING CLEARANCE REFUSED OR REVOKED.—Clearance refused or revoked under

this subsection may be granted upon filing of a bond or other surety satisfactory to the Secretary.”

(b) CLERICAL AMENDMENT.—The analysis at the beginning of such subtitle is amended by inserting before the item relating to chapter 701 the following:

“700. Ports and Waterways Safety70001.”

SEC. 402. CONFORMING AMENDMENTS.

(a) ELECTRONIC CHARTS.—

(1) TRANSFER OF PROVISION.—Section 4A of the Ports and Waterways Safety Act (33 U.S.C. 1223a)—

(A) is redesignated as section 3105 of title 46, United States Code, and transferred to appear after section 3104 of that title; and

(B) is amended by striking subsection (b) and inserting the following:

“(b) LIMITATION ON APPLICATION.—Except pursuant to an international treaty, convention, or agreement, to which the United States is a party, this section shall not apply to any foreign vessel that is not destined for, or departing from, a port or place subject to the jurisdiction of the United States and that is in—

“(1) innocent passage through the territorial sea of the United States; or

“(2) transit through the navigable waters of the United States that form a part of an international strait.”

(2) CLERICAL AMENDMENT.—The analysis at the beginning of chapter 31 of such title is amended by adding at the end the following:

“3105. Electronic charts.”

(b) PORT, HARBOR, AND COASTAL FACILITY SECURITY.—

(1) TRANSFER OF PROVISIONS.—So much of section 7 of the Ports and Waterways Safety Act (33 U.S.C. 1226) as precedes subsection (c) of that section is redesignated as section 70116 of title 46, United States Code, and transferred to section 70116 of that title.

(2) DEFINITIONS, ADMINISTRATION, AND ENFORCEMENT.—Section 70116 of title 46, United States Code, as amended by paragraph (1) of this subsection, is amended by adding at the end the following:

“(c) DEFINITIONS, ADMINISTRATION, AND ENFORCEMENT.—This section shall be treated as part of chapter 700 for purposes of sections 70031, 70032, 70034, 70035, and 70036.”

(3) CLERICAL AMENDMENT.—The analysis at the beginning of chapter 701 of such title is amended by striking the item relating to section 70116 and inserting the following:

“70116. Port, harbor, and coastal facility security.”

(c) NONDISCLOSURE OF PORT SECURITY PLANS.—Subsection (c) of section 7 of the Ports and Waterways Safety Act (33 U.S.C. 1226), as so designated before the application of subsection (b)(1) of this section—

(1) is redesignated as subsection (f) of section 70103 of title 46, United States Code, and transferred so as to appear after subsection (e) of such section; and

(2) is amended by striking “this Act” and inserting “this chapter”.

(d) REPEAL.—Section 2307 of title 46, United States Code, and the item relating to that section in the analysis at the beginning of chapter 23 of that title, are repealed.

(e) REPEAL.—The Ports and Waterways Safety Act (33 U.S.C. 1221–1231, 1232–1232b), as amended by this Act, is repealed.

SEC. 403. TRANSITIONAL AND SAVINGS PROVISIONS.

(a) DEFINITIONS.—In this section:

(1) SOURCE PROVISION.—The term “source provision” means a provision of law that is replaced by a title 46 provision under this title.

(2) TITLE 46 PROVISION.—The term “title 46 provision” means a provision of title 46, United States Code, that is enacted by section 402.

(b) CUTOFF DATE.—The title 46 provisions replace certain provisions of law enacted before

the date of the enactment of this Act. If a law enacted after that date amends or repeals a source provision, that law is deemed to amend or repeal, as the case may be, the corresponding title 46 provision. If a law enacted after that date is otherwise inconsistent with a title 46 provision or a provision of this title, that law supersedes the title 46 provision or provision of this title to the extent of the inconsistency.

(c) ORIGINAL DATE OF ENACTMENT UNCHANGED.—For purposes of determining whether one provision of law supersedes another based on enactment later in time, a title 46 provision is deemed to have been enacted on the date of enactment of the source provision that the title 46 provision replaces.

(d) REFERENCES TO TITLE 46 PROVISIONS.—A reference to a title 46 provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding source provision.

(e) REFERENCES TO SOURCE PROVISIONS.—A reference to a source provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding title 46 provision.

(f) REGULATIONS, ORDERS, AND OTHER ADMINISTRATIVE ACTIONS.—A regulation, order, or other administrative action in effect under a source provision continues in effect under the corresponding title 46 provision.

(g) ACTIONS TAKEN AND OFFENSES COMMITTED.—An action taken or an offense committed under a source provision is deemed to have been taken or committed under the corresponding title 46 provision.

SEC. 404. RULE OF CONSTRUCTION.

This title, including the amendments made by this title, is intended only to transfer provisions of the Ports and Waterways Safety Act to title 46, United States Code, and may not be construed to alter—

(1) the effect of a provision of the Ports and Waterways Safety Act, including any authority or requirement therein;

(2) a department or agency interpretation with respect to the Ports and Waterways Safety Act; or

(3) a judicial interpretation with respect to the Ports and Waterways Safety Act.

SEC. 405. ADVISORY COMMITTEE: REPEAL.

Section 18 of the Coast Guard Authorization Act of 1991 (Public Law 102–241; 105 Stat. 2213) is repealed.

SEC. 406. REGATTAS AND MARINE PARADES.

(a) IN GENERAL.—Chapter 700 of title 46, United States Code, as established by section 401 of this Act, is amended by adding at the end the following:

“SUBCHAPTER V—REGATTAS AND MARINE PARADES

“§ 70041. Regattas and marine parades

“(a) IN GENERAL.—The Commandant of the Coast Guard may issue regulations to promote the safety of life on navigable waters during regattas or marine parades.

“(b) DETAIL AND USE OF VESSELS.—To enforce regulations issued under this section—

“(1) the Commandant may detail any public vessel in the service of the Coast Guard and make use of any private vessel tendered gratuitously for that purpose; and

“(2) upon the request of the Commandant, the head of any other Federal department or agency may enforce the regulations by means of any public vessel of such department and any private vessel tendered gratuitously for that purpose.

“(c) TRANSFER OF AUTHORITY.—The authority of the Commandant under this section may be transferred by the President for any special occasion to the head of another Federal department or agency whenever in the President’s judgment such transfer is desirable.

“(d) PENALTIES.—

“(1) IN GENERAL.—For any violation of regulations issued pursuant to this section the following penalties shall be incurred:

“(A) A licensed officer shall be liable to suspension or revocation of license in the manner prescribed by law for incompetency or misconduct.

“(B) Any person in charge of the navigation of a vessel other than a licensed officer shall be liable to a penalty of \$5,000.

“(C) The owner of a vessel (including any corporate officer of a corporation owning the vessel) actually on board shall be liable to a penalty of \$5,000, unless the violation of regulations occurred without the owner’s knowledge.

“(D) Any other person shall be liable to a penalty of \$2,500.

“(2) MITIGATION OR REMISSION.—The Commandant may mitigate or remit any penalty provided for in this subsection in the manner prescribed by law for the mitigation or remission of penalties for violation of the navigation laws.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 700 of title 46, United States Code, as established by section 401 of this Act, is amended by adding at the end the following:

“SUBCHAPTER E—REGATTAS AND MARINE PARADES

“70041. Regattas and marine parades.”.

(c) REPEAL.—The Act of April 28, 1908 (35 Stat. 69, chapter 151; 33 U.S.C. 1233 et seq.), is repealed.

SEC. 407. REGULATION OF VESSELS IN TERRITORIAL WATERS OF UNITED STATES.

(a) ESTABLISHMENT OF SUBCHAPTER F.—Chapter 700 of title 46, United States Code, as established by section 401 of this Act, is amended by adding at the end the following:

“SUBCHAPTER VI—REGULATION OF VESSELS IN TERRITORIAL WATERS OF UNITED STATES

“§ 70054. Definitions

“In this subchapter:

“(1) UNITED STATES.—The term ‘United States’ includes all territory and waters, continental or insular, subject to the jurisdiction of the United States.

“(2) TERRITORIAL WATERS.—The term ‘territorial waters of the United States’ includes all waters of the territorial sea of the United States as described in Presidential Proclamation 5928 of December 27, 1988.”.

(b) REGULATION OF ANCHORAGE AND MOVEMENT OF VESSELS DURING NATIONAL EMERGENCY.—Section 1 of title II of the Act of June 15, 1917 (40 Stat. 220, chapter 30; 50 U.S.C. 191), is amended—

(1) by striking the section designation and all that follows before “by proclamation” and inserting the following:

“§ 70051. Regulation of anchorage and movement of vessels during national emergency

“Whenever the President”;

(2) by striking “of the Treasury”;

(3) by striking “of the department in which the Coast Guard is operating”;

(4) by striking “this title” and inserting “this subchapter”;

(5) by transferring the section so that the section appears before section 70054 of title 46, United States Code (as added by subsection (a) of this section).

(c) SEIZURE AND FORFEITURE OF VESSEL; FINE AND IMPRISONMENT.—Section 2 of title II of the Act of June 15, 1917 (40 Stat. 220, chapter 30; 50 U.S.C. 192), is amended—

(1) by striking the section designation and all that follows before “agent,” and inserting the following:

“§ 70052. Seizure and forfeiture of vessel; fine and imprisonment

“(a) IN GENERAL.—If any owner,”;

(2) by striking “this title” each place it appears and inserting “this subchapter”;

(3) by transferring the section so that the section appears after section 70051 of title 46, United States Code (as transferred by subsection (b) of this section).

(d) ENFORCEMENT PROVISIONS.—Section 4 of title II of the Act of June 15, 1917 (40 Stat. 220, chapter 30; 50 U.S.C. 194), is amended—

(1) by striking all before “may employ” and inserting the following:

“§ 70053. Enforcement provisions

“The President”;

(2) by striking “the purpose of this title” and inserting “this subchapter”;

(3) by transferring the section so that the section appears after section 70052 of title 46, United States Code (as transferred by subsection (c) of this section).

(e) CLERICAL AMENDMENT.—The analysis for chapter 700 of title 46, United States Code, as established by section 401 of this Act, is amended by adding at the end the following:

“SUBCHAPTER F—REGULATION OF VESSELS IN TERRITORIAL WATERS OF UNITED STATES

“70051. Regulation of anchorage and movement of vessels during national emergency.

“70052. Seizure and forfeiture of vessel; fine and imprisonment.

“70053. Enforcement provisions.

“70054. Definitions.”.

SEC. 408. PORT, HARBOR, AND COASTAL FACILITY SECURITY.

(a) TRANSFER OF PROVISIONS.—So much of section 7 of the Ports and Waterways Safety Act (33 U.S.C. 1226) as precedes subsection (c) of that section is redesignated as section 70102a of title 46, United States Code, and transferred so as to appear after section 70102 of that title.

(b) DEFINITIONS, ADMINISTRATION, AND ENFORCEMENT.—Section 70102a of title 46, United States Code, as amended by paragraph (1) of this subsection, is amended by adding at the end the following:

“(c) DEFINITIONS, ADMINISTRATION, AND ENFORCEMENT.—This section shall be treated as part of chapter 700 for purposes of sections 70031, 70032, 70034, 70035, and 70036.”.

(c) CLERICAL AMENDMENT.—The analysis at the beginning of chapter 701 of such title is amended by inserting after the item relating to section 70102 the following:

“70102a. Port, harbor, and coastal facility security.”.

(d) NONDISCLOSURE OF PORT SECURITY PLANS.—Subsection (c) of section 7 of the Ports and Waterways Safety Act (33 U.S.C. 1226), as so designated before the application of subsection (b)(1) of this section—

(1) is redesignated as subsection (f) of section 70103 of title 46, United States Code, and transferred so as to appear after subsection (e) of such section; and

(2) is amended by striking “this Act” and inserting “this chapter”.

TITLE V—MARITIME TRANSPORTATION SAFETY

SEC. 501. CONSISTENCY IN MARINE INSPECTIONS.

(a) IN GENERAL.—Section 3305 of title 46, United States Code, is amended by adding at the end the following:

“(d)(1) The Commandant of the Coast Guard shall ensure that Officers in Charge, Marine Inspections consistently interpret regulations and standards under this subtitle and chapter 700 to avoid disruption and undue expense to industry.

“(2)(A) Subject to subparagraph (B), in the event of a disagreement regarding the condition of a vessel or the interpretation of a regulation or standard referred to in subsection (a) between a local Officer in Charge, Marine Inspection conducting an inspection of the vessel and the Officer in Charge, Marine Inspection that issued the most recent certificate of inspection for the vessel, such Officers shall seek to resolve such disagreement.

“(B) If a disagreement described in subparagraph (A) involves vessel design or plan review, the Coast Guard marine safety center shall be

included in all efforts to resolve such disagreement.

“(C) If a disagreement described in subparagraph (A) or (B) cannot be resolved, the local Officer in Charge, Marine Inspection shall submit to the Commandant of the Coast Guard, through the cognizant Coast Guard district commander, a request for a final agency determination of the matter in disagreement.

“(3) The Commandant of the Coast Guard shall—

“(A) provide to each person affected by a decision or action by an Officer in Charge, Marine Inspection or by the Coast Guard marine safety center all information necessary for such person to exercise any right to appeal such decision or action; and

“(B) if such an appeal is filed, process such appeal under parts 1 through 4 of title 46, Code of Federal Regulations, as in effect on the date of enactment of the Coast Guard Authorization Act of 2017.

“(4) In this section, the term ‘Officer in Charge, Marine Inspection’ means any person from the civilian or military branch of the Coast Guard who—

“(A) is designated as such by the Commandant; and

“(B) under the superintendence and direction of the cognizant Coast Guard district commander, is in charge of an inspection zone for the performance of duties with respect to the inspections under, and enforcement and administration of, subtitle II, chapter 700, and regulations under such laws.”.

(b) REPORT ON MARINE INSPECTOR TRAINING.—Not later than 1 year after the date of the enactment of this Act, the Commandant of the Coast Guard 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 on the training, experience, and qualifications required for assignment as a marine inspector under section 312 of title 14, United States Code, including—

(1) a description of any continuing education requirement, including a specific list of the required courses;

(2) a description of the training, including a specific list of the included courses, offered to a journeyman or an advanced journeyman marine inspector to advance inspection expertise;

(3) a description of any training that was offered in the 15-year period before the date of the enactment of this Act, but is no longer required or offered, including a specific list of the included courses, including the senior marine inspector course and any plan review courses;

(4) a justification for why a course described in paragraph (3) is no longer required or offered; and

(5) a list of the course content the Commandant considers necessary to promote consistency among marine inspectors in an environment of increasingly complex vessels and vessel systems.

SEC. 502. UNINSPECTED PASSENGER VESSELS IN ST. LOUIS COUNTY, MINNESOTA.

Section 4105 of title 46, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d); and

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

“(c) In applying this title with respect to an uninspected vessel of less than 25 feet overall in length that carries passengers on Crane Lake or waters contiguous to such lake in St. Louis County, Minnesota, the Secretary shall substitute ‘12 passengers’ for ‘6 passengers’ each place it appears in section 2101(51).”.

SEC. 503. ENGINE CUT-OFF SWITCH REQUIREMENTS.

(a) IN GENERAL.—Chapter 43 of title 46, United States Code, is amended by adding at the end the following:

“§ 4312. Engine cut-off switches

“(a) **INSTALLATION REQUIREMENT.**—A manufacturer, distributor, or dealer that installs propulsion machinery and associated starting controls on a covered recreational vessel shall equip such vessel with an engine cut-off switch and engine cut-off switch link that meet American Boat and Yacht Council Standard A-33, as in effect on the date of the enactment of the Coast Guard Authorization Act of 2017.

“(b) **EDUCATION ON CUT-OFF SWITCHES.**—The Commandant of the Coast Guard, through the National Boating Safety Advisory Committee established under section 15105, may initiate a boating safety program on the use and benefits of cut-off switches for recreational vessels.

“(c) **AVAILABILITY OF STANDARD FOR INSPECTION.**—

“(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this section, the Commandant shall transmit American Boat and Yacht Council Standard A-33, as in effect on the date of enactment of the Coast Guard Authorization Act of 2017, to—

“(A) the Committee on Transportation and Infrastructure of the House of Representatives;

“(B) the Committee on Commerce, Science, and Transportation of the Senate; and

“(C) the Coast Guard Office of Design and Engineering Standards; and

“(D) the National Archives and Records Administration.

“(2) **AVAILABILITY.**—The standard submitted under paragraph (1) shall be kept on file and available for public inspection at such Coast Guard office and the National Archives and Records Administration.

“(d) **DEFINITIONS.**—In this section:

“(1) **COVERED RECREATIONAL VESSEL.**—The term ‘covered recreational vessel’ means a recreational vessel that is—

“(A) less than 26 feet overall in length; and

“(B) capable of developing 115 pounds or more of static thrust.

“(2) **DEALER.**—The term ‘dealer’ means any person who is engaged in the sale and distribution of recreational vessels or associated equipment to purchasers whom the seller in good faith believes to be purchasing any such vessel or associated equipment for purposes other than resale.

“(3) **DISTRIBUTOR.**—The term ‘distributor’ means any person engaged in the sale and distribution of recreational vessels and associated equipment for the purposes of resale.

“(4) **MANUFACTURER.**—The term ‘equipment manufacturer’ means any person engaged in the manufacture, construction, or assembly of recreational vessels or associated equipment, or the importation of recreational vessels into the United States for subsequent sale.

“(5) **PROPULSION MACHINERY.**—The term ‘propulsion machinery’ means a self-contained propulsion system, and includes, but is not limited to, inboard engines, outboard motors, and stern-drive engines.

“(6) **STATIC THRUST.**—The term ‘static thrust’ means the forward or backwards thrust developed by propulsion machinery while stationary.”.

(b) **CLERICAL AMENDMENT.**—The analysis at the beginning of such chapter is amended by adding at the end the following:
“4312. Engine cut-off switches.”.

(c) **EFFECTIVE DATE.**—Section 4312 of title 46, United States Code, as amended by this section, shall take effect one year after the date of the enactment of this Act.

SEC. 504. EXCEPTION FROM SURVIVAL CRAFT REQUIREMENTS.

Section 4502(b) of title 46, United States Code, is amended—

(1) in paragraph (2)(B), by striking “a survival craft” and inserting “subject to paragraph (3), a survival craft”;

(2) by adding at the end the following:

“(3) Except for a nonapplicable vessel, an auxiliary craft shall satisfy the equipment re-

quirement under paragraph (2)(B) if such craft is—

“(A) necessary for normal fishing operations;

“(B) readily accessible during an emergency; and

“(C) capable, in accordance with the Coast Guard capacity rating, when applicable, of safely holding all individuals on board the vessel to which the craft functions as an auxiliary.”; and

(3) by adding at the end the following:
“(k) For the purposes of this section, the term ‘auxiliary craft’ means a vessel that is carried onboard a fishing vessel and is normally used to support fishing operations.”.

SEC. 505. SAFETY STANDARDS.

Section 4502(f) of title 46, United States Code, is amended by striking paragraphs (2) and (3) and inserting the following:

“(2) shall examine at dockside a vessel described in subsection (b) at least once every 5 years, but may require an exam at dockside every 2 years for certain vessels described in subsection (b) if requested by the owner or operator; and

“(3) shall issue a certificate of compliance to a vessel meeting the requirements of this chapter and satisfying the requirements in paragraph (2).”.

SEC. 506. FISHING SAFETY GRANTS.

Section 4502 of title 46, United States Code, is amended—

(1) in subsections (i) and (j), by striking “Secretary” each place it appears and inserting “Secretary of Health and Human Services”;

(2) in subsection (i)(2), as amended by paragraph (1), by inserting “, in consultation with and based on criteria established by the Commandant of the Coast Guard” after “Health and Human Services”;

(3) in subsection (i)(3), by striking “75” and inserting “50”;

(4) in subsection (i)(4), by striking “\$3,000,000 for each of fiscal years 2015 through 2017” and inserting “\$3,000,000 for each of fiscal years 2018 through 2019”;

(5) in subsection (j)(2), as amended by paragraph (1), by inserting “, in consultation with and based on criteria established by the Commandant of the Coast Guard,” after “Health and Human Services”;

(6) in subsection (j)(3), by striking “75” and inserting “50”;

(7) in subsection (j)(4), by striking “\$3,000,000 for each fiscal years 2015 through 2017” and inserting “\$3,000,000 for each of fiscal years 2018 through 2019”.

SEC. 507. FISHING, FISH TENDER, AND FISH PROCESSING VESSEL CERTIFICATION.

(a) **NONAPPLICATION.**—Section 4503(c)(2)(A) of title 46, United States Code, is amended by striking “79” and inserting “180”.

(b) **DETERMINING WHEN KEEL IS LAID.**—Section 4503(f) of title 46, United States Code, as redesignated by section 508 of this Act, is further amended to read as follows:

“(f)(1) For purposes of this section and section 4503a, the term ‘built’ means, with respect to a vessel, that the vessel’s construction has reached any of the following stages:

“(A) The vessel’s keel is laid.

“(B) Construction identifiable with the vessel has begun and assembly of that vessel has commenced comprising of at least 50 metric tons or one percent of the estimated mass of all structural material, whichever is less.

“(2) In the case of a vessel greater than 79 feet overall in length, for purposes of paragraph (1)(A) a keel is deemed to be laid when a marine surveyor affirms that a structure adequate for serving as a keel for such vessel is in place and identified for use in the construction of such vessel.”.

SEC. 508. DEADLINE FOR COMPLIANCE WITH ALTERNATE SAFETY COMPLIANCE PROGRAM.

(a) **IN GENERAL.**—Section 4503(d) of title 46, United States Code, is redesignated as section

4503a and transferred to appear after section 4503 of such title.

(b) **FISHING, FISH TENDER, AND FISH PROCESSING VESSEL CERTIFICATION.**—Section 4503 of title 46, United States Code, is amended—

(1) by redesignating subsections (e), (f), and (g) as subsections (d), (e), and (f), respectively;

(2) in subsection (b), by striking “subsection (d)” and inserting “section 4503a”;

(3) in subsection (c)(2)(B)(ii)(I), by striking “subsection (e)” and inserting “subsection (d)”;

(4) in subsection (c)(2)(B)(ii)(II), by striking “subsection (f)” and inserting “subsection (e)”;

(5) in subsection (e)(1), as amended by paragraph (1) of this subsection, by striking “subsection (e)” each place it appears and inserting “subsection (d)”;

(6) in subsection (e)(2), as amended by paragraph (1) of this subsection, by striking “subsection (e)” each place it appears and inserting “subsection (d)”;

(c) **ALTERNATE SAFETY COMPLIANCE PROGRAM.**—Section 4503a of title 46, United States Code, as redesignated and transferred by subsection (a) of this section, is amended—

(1) by redesignating paragraphs (1), (2), (3), (4), and (5) as subsections (a), (b), (c), (d), and (e), respectively;

(2) by inserting before subsection (a), as so redesignated, the following:

“§ 4503a. Alternate safety compliance program”;

(3) in subsection (a), as redesignated by paragraph (1) of this subsection, by striking “After January 1, 2020,” and all that follows through “the Secretary, if” and inserting “Subject to subsection (c), beginning on the date that is 3 years after the date that the Secretary prescribes an alternate safety compliance program, a fishing vessel, fish processing vessel, or fish tender vessel to which section 4502(b) of this title applies shall comply with such an alternate safety compliance program, if”;

(4) in subsection (a), as so redesignated, by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively;

(5) in subsection (b), as so redesignated, by striking “establishes standards for an alternate safety compliance program, shall comply with such an alternative safety compliance program that is developed in cooperation with the commercial fishing industry and prescribed by the Secretary” and inserting “prescribes an alternate safety compliance program under subsection (a), shall comply with such an alternate safety compliance program”;

(6) by amending subsection (c), as so redesignated, to read as follows:

“(c) For purposes of subsection (a), a separate alternate safety compliance program may be developed for a specific region or specific fishery.”;

(7) in subsection (d), as so redesignated—

(A) by striking “paragraph (1)” and inserting “subsection (a)”;

(B) by striking “that paragraph” each place it appears and inserting “that subsection”;

(8) in subsection (e), as so redesignated, by—

(A) inserting “is not eligible to participate in an alternative safety compliance program prescribed under subsection (a) and” after “July 1, 2012”;

(B) redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively;

(9) by adding at the end the following:

“(f) For the purposes of this section, the term ‘built’ has the meaning given that term in section 4503(f).”.

(d) **CLERICAL AMENDMENT.**—The analysis at the beginning of chapter 45 of such title is amended by inserting after the item relating to section 4503 the following

“4503a. Alternate safety compliance program.”.

(e) **CONFORMING AMENDMENT.**—Section 3104 of title 46, United States Code, is amended by striking “section 4503(e)” and inserting “section 4503(d)”.

(f) **FINAL RULE.**—Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall issue a final rule implementing the requirements enumerated in section 4503(d) of title 46, as amended by subsection (b)(1) of this section.

(g) **ALTERNATE SAFETY COMPLIANCE PROGRAM STATUS REPORT.**—

(1) **IN GENERAL.**—Not later than January 1, 2020, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the status of the development of the alternate safety compliance program directed by section 4503a of title 46, United States Code, as redesignated by subsection (c).

(2) **CONTENTS.**—The report required under paragraph (1) shall include discussion of—

(A) steps taken in the rulemaking process to establish the alternate safety compliance program;

(B) communication and collaboration between the Coast Guard, the department in which the Coast Guard is operating, and the commercial fishing vessel industry regarding the development of the alternate safety compliance program;

(C) consideration given to developing alternate safety compliance programs for specific regions and fisheries, as authorized in section 4503a(c) of such title, as redesignated by subsection (c);

(D) any identified legislative changes necessary to implement an effective alternate safety compliance program; and

(E) the timeline and planned actions that will be taken to implement regulations necessary to fully establish an alternate safety compliance program before January 1, 2020.

SEC. 509. TERMINATION OF UNSAFE OPERATIONS; TECHNICAL CORRECTION.

Section 4505(2) of title 46, United States Code, is amended—

(1) by striking “4503(1)” and inserting “4503(a)(2)”; and

(2) by inserting before the period the following: “, except that this paragraph shall not apply with respect to a vessel to which section 4503a applies”.

SEC. 510. TECHNICAL CORRECTIONS: LICENSES, CERTIFICATES OF REGISTRY, AND MERCHANT MARINER DOCUMENTS.

Title 46, United States Code, is amended—

(1) in section 7106(b), by striking “merchant mariner’s document,” and inserting “license,”;

(2) in section 7107(b), by striking “merchant mariner’s document,” and inserting “certificate of registry,”;

(3) in section 7507(b)(1), by striking “licenses or certificates of registry” and inserting “merchant mariner documents”; and

(4) in section 7507(b)(2) by striking “merchant mariner’s document.” and inserting “license or certificate of registry.”.

SEC. 511. CLARIFICATION OF LOGBOOK ENTRIES.

(a) **IN GENERAL.**—Section 11304 of title 46, United States Code, is amended—

(1) in subsection (a), by striking “an official logbook, which” and inserting “a logbook, which may be in any form, including electronic, and”; and

(2) in subsection (b), by amending paragraph (3) to read as follows:

“(3) Each illness of, and injury to, a seaman of the vessel, the nature of the illness or injury, and the medical treatment provided for the injury or illness.”.

(b) **TECHNICAL AMENDMENT.**—Section 11304(b) is amended by striking “log book” and inserting “logbook”.

SEC. 512. CERTIFICATES OF DOCUMENTATION FOR RECREATIONAL VESSELS.

Section 12105 of title 46, United States Code, is amended by adding at the end the following:

“(e) **EFFECTIVE PERIOD.**—

“(1) **IN GENERAL.**—Except as provided in paragraphs (2) and (3), a certificate of documentation issued under this part is valid for a 1-year period and may be renewed for additional 1-year periods.

“(2) **RECREATIONAL VESSELS.**—

“(A) **IN GENERAL.**—A certificate of documentation for a recreational vessel and the renewal of such a certificate shall be effective for a 5-year period.

“(B) **PHASE-IN PERIOD.**—During the period beginning January 1, 2019, and ending December 31, 2021, the owner or operator of a recreational vessel may choose a period of effectiveness of between 1 and 5 years for such a certificate of documentation for such vessel or the renewal thereof.

“(C) **FEES.**—

“(i) **REQUIREMENT.**—The Secretary shall assess and collect a fee—

“(I) for the issuance of a certificate of documentation for a recreational vessel that is equivalent to the fee established for the issuance of a certificate of documentation under section 2110; and

“(II) for the renewal of a certificate of documentation for a recreational vessel that is equivalent to the number of years of effectiveness of the certificate of documentation multiplied by the fee established for the renewal of a certificate of documentation under section 2110.

“(ii) **TREATMENT.**—Fees collected under this subsection—

“(I) shall be credited to the account from which the costs of such issuance or renewal were paid; and

“(II) may remain available until expended.

“(3) **NOTICE OF CHANGE IN INFORMATION.**—

“(A) **REQUIREMENT.**—The owner of a vessel shall notify the Coast Guard of each change in the information on which the issuance of the certificate of documentation for the vessel is based that occurs before the expiration of the certificate under this subsection, by not later than 30 days after such change.

“(B) **TERMINATION OF CERTIFICATE.**—The certificate of documentation for a vessel shall terminate upon the expiration of such 30-day period if the owner has not notified the Coast Guard of such change before the end of such period.

“(4) **STATE AND LOCAL AUTHORITY TO REMOVE ABANDONED AND DERELICT VESSELS.**—Nothing in this section shall be construed to limit the authority of a State or local authority from taking action to remove an abandoned or derelict vessel.”.

SEC. 513. NUMBERING FOR UNDOCUMENTED BARGES.

Section 12301(b) of title 46, United States Code, is amended—

(1) by striking “shall” and inserting “may”; and

(2) by inserting “of” after “barge”.

SEC. 514. BACKUP NATIONAL TIMING SYSTEM.

(a) **SHORT TITLE.**—This section may be cited as the “National Timing Resilience and Security Act of 2018”.

(b) **IN GENERAL.**—Chapter 30 of title 49, United States Code, is amended by adding at the end the following:

“§312. Alternative timing system

“(a) **IN GENERAL.**—Subject to the availability of appropriations, the Secretary of Transportation shall provide for the establishment, sustainment, and operation of a land-based, resilient, and reliable alternative timing system—

“(1) to reduce critical dependencies and provide a complement to and backup for the timing component of the Global Positioning System (referred to in this section as ‘GPS’); and

“(2) to ensure the availability of uncorrupted and non-degraded timing signals for military and civilian users in the event that GPS timing signals are corrupted, degraded, unreliable, or otherwise unavailable.

“(b) **ESTABLISHMENT OF REQUIREMENTS.**—

“(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of the National Timing Resilience and Security Act of 2018, the Secretary of Transportation shall establish requirements for the procurement of the system required by subsection (a) as a complement to and backup for the timing component of GPS in accordance with the timing requirements study required by section 1618 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2595).

“(2) **REQUIREMENTS.**—The Secretary of Transportation shall ensure, to the maximum extent practicable, that the system established under subsection (a) will—

“(A) be wireless;

“(B) be terrestrial;

“(C) provide wide-area coverage;

“(D) be synchronized with coordinated universal time;

“(E) be resilient and extremely difficult to disrupt or degrade;

“(F) be able to penetrate underground and inside buildings;

“(G) be capable of deployment to remote locations;

“(H) be developed, constructed, and operated incorporating applicable private sector expertise;

“(I) work in concert with and complement any other similar positioning, navigation, and timing systems, including enhanced long-range navigation systems and Nationwide Differential GPS systems;

“(J) be available for use by Federal and non-Federal government agencies for public purposes at no net cost to the Federal Government within 10 years of initiation of operation;

“(K) be capable of adaptation and expansion to provide position and navigation capabilities;

“(L) incorporate the recommendations from any GPS back-up demonstration program initiated and completed by the Secretary, in coordination with other Federal agencies, before the date specified in subsection (c)(1); and

“(M) incorporate such other elements as the Secretary considers appropriate.

“(c) **IMPLEMENTATION PLAN.**—

“(1) **PLAN REQUIRED.**—Not later than 180 days after the date of enactment of the National Timing Resilience and Security Act of 2018, the Secretary of Transportation shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Representatives a report setting forth the following:

“(A) A plan to develop, construct, and operate the system required by subsection (a).

“(B) A description and assessment of the advantages of a system to provide a follow-on complementary and backup positioning and navigation capability to the timing component of GPS.

“(2) **DEADLINE FOR COMMENCEMENT OF OPERATION.**—The system required by subsection (a) shall be in operation by not later than 2 years after the date of enactment of the National Timing Resilience and Security Act of 2018.

“(3) **MINIMUM DURATION OF OPERATIONAL CAPABILITY.**—The system required by subsection (a) shall be designed to be fully operational for not less than 20 years.

“(d) **LORAN FACILITIES.**—

“(1) **IN GENERAL.**—If the Secretary of Transportation determines that any LORAN infrastructure, including the underlying real property and any spectrum associated with LORAN, in the possession of the Coast Guard is required by the Department of Transportation for the purpose of establishing the system required by subsection (a), the Commandant shall transfer such property, spectrum, and equipment to the Secretary.

“(2) **CERCLA NOT AFFECTED.**—This subsection shall not be construed to limit the application of or otherwise affect section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C.

9620(h)) with respect to the Federal Government facilities described in paragraph (1).

“(e) COOPERATIVE AGREEMENT.—

“(1) IN GENERAL.—The Secretary of Transportation may enter into a cooperative agreement (as that term is described in section 6305 of title 31) with an entity upon such terms and conditions as the Secretary of Transportation determines will fulfill the purpose and requirements of this section and be in the public interest.

“(2) REQUIREMENTS.—The cooperative agreement under paragraph (1) shall, at a minimum, require the Secretary of Transportation to—

“(A) authorize the entity to sell timing and other services to commercial and non-commercial third parties, subject to any national security requirements determined by the Secretary, in consultation with the Secretary of Defense;

“(B) require the entity to develop, construct, and operate at private expense the backup timing system in accordance with this section;

“(C) allow the entity to make any investments in technologies necessary over the life of such agreement to meet future requirements for advanced timing resilience and technologies;

“(D) require the entity to share 25 percent of the gross proceeds received by the entity from the sale of timing services to third parties with the Secretary for at least 10 years after the date upon which the Secretary enters into the cooperative agreement;

“(E) require the entity—

“(i) to assume all financial risk for the completion and operational capability of the system, after the Secretary provides any LORAN facilities necessary for the system under subsection (d), if required for the alternative timing system; and

“(ii) to furnish performance and payment bonds in connection with the system in a reasonable amount as determined by the Secretary; and

“(F) require the entity to make any investments in technologies necessary over the life of the agreement to meet future requirements for advanced timing resiliency.

“(3) COMPETITION REQUIRED.—The Secretary shall use competitive procedures similar to those authorized under section 2667 of title 10 in selecting an entity to enter into a cooperative agreement pursuant to this subsection.

“(4) AUTHORIZATION TO PURCHASE SERVICES.—The Secretary may not purchase timing system services from the entity for use by the Department of Transportation or for provision to other Federal and non-Federal governmental agencies until the system achieves operational status, and then only if the necessary funds for such purchases are provided for in subsequent yearly appropriations acts made available to the Secretary for each and every year in which such purchases are made.

“(5) DETERMINATION REQUIREMENT.—The Secretary may not enter into a cooperative agreement under this subsection unless the Secretary determines that the cooperative agreement is in the best financial interest of the Federal Government. The Secretary shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of such determination not later than 30 days after the date of the determination.

“(6) DEFINITION.—In this subsection the term ‘entity’ means a non-Federal entity with the demonstrated technical expertise and requisite administrative and financial resources to meet any terms and conditions established by the Secretary for purposes of this subsection.”

(c) TABLE OF CONTENTS.—The table of contents for chapter 3 of title 49, United States Code, is amended by adding at the end the following:

“312. Alternative timing system.”

SEC. 515. SCIENTIFIC PERSONNEL.

Section 2101(41) of title 46, United States Code, is amended—

(1) by inserting “(A) Subject to subparagraph (B),” before the text; and

(2) by adding at the end the following:

“(B)(i) Such term includes an individual who is on board an oceanographic research vessel only to—

“(I) engage in scientific research;

“(II) instruct in oceanography or limnology; or

“(III) receive instruction in oceanography or limnology.

“(ii) For purposes of clause (i), the age of an individual may not be considered in determining whether the individual is described in such clause.”

SEC. 516. TRANSPARENCY.

(a) IN GENERAL.—The Commandant of the Coast Guard shall publish any letter of determination issued by the Coast Guard National Vessel Documentation Center after the date of the enactment of this Act on the National Vessel Documentation Center website not later than 30 days after the date of issuance of such letter of determination.

(b) AUDIT.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct an audit, the results of which shall be made publicly available, of—

(A) the method or process by which the Coast Guard National Vessel Documentation Center develops policy for and documents compliance with the requirements of section 67.97 of title 46, Code of Federal Regulations, for the purpose of issuing endorsements under section 12112 and 12113 of title 46, United States Code;

(B) the coordination between the Coast Guard and U.S. Customs and Border Protection with respect to the enforcement of such requirements; and

(C) the extent to which the Secretary of the department in which the Coast Guard is operating and the Secretary of Transportation, through the Maritime Administration, have published and disseminated information to promote compliance with applicable vessel construction requirements.

(2) REPORT.—Not later than 90 days after the audit under paragraph (1) is complete, the Comptroller General of the United States 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 regarding the results of and recommendations made pursuant to such audit.

(c) OUTLINE.—Not later than 180 days after the date of the submission of the Comptroller General of the United States report required under subsection (b), the Commandant of the Coast Guard 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 an outline of plans—

(1) to enhance the transparency of the documentation process, and communications with the maritime industry regarding such process over the next 5 years; and

(2) to implement the recommendations made by the Comptroller General of the United States in the report required under subsection (b)(2).

TITLE VI—ADVISORY COMMITTEES

SEC. 601. NATIONAL MARITIME TRANSPORTATION ADVISORY COMMITTEES.

(a) IN GENERAL.—Subtitle II of title 46, United States Code, is amended by adding at the end the following:

“PART K—NATIONAL MARITIME TRANSPORTATION ADVISORY COMMITTEES

“CHAPTER 151—NATIONAL MARITIME TRANSPORTATION ADVISORY COMMITTEES

“Sec.

“15101. National Chemical Transportation Safety Advisory Committee.

“15102. National Commercial Fishing Safety Advisory Committee.

“15103. National Merchant Marine Personnel Advisory Committee.

“15104. National Merchant Mariner Medical Advisory Committee.

“15105. National Boating Safety Advisory Committee.

“15106. National Offshore Safety Advisory Committee.

“15107. National Navigation Safety Advisory Committee.

“15108. National Towing Safety Advisory Committee.

“15109. Administration.

“§ 15101. National Chemical Transportation Safety Advisory Committee

“(a) ESTABLISHMENT.—There is established a National Chemical Transportation Safety Advisory Committee (in this section referred to as the ‘Committee’).

“(b) FUNCTION.—The Committee shall advise the Secretary on matters relating to the safe and secure marine transportation of hazardous materials.

“(c) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall consist of not more than 25 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

(3) REPRESENTATION.—Each member of the Committee shall represent 1 of the following:

“(A) Chemical manufacturing entities.

“(B) Entities related to marine handling or transportation of chemicals.

“(C) Vessel design and construction entities.

“(D) Marine safety or security entities.

“(E) Marine environmental protection entities.

(4) DISTRIBUTION.—The Secretary shall, based on the needs of the Coast Guard, determine the number of members of the Committee who represent each entity specified in paragraph (3). Neither this paragraph nor any other provision of law shall be construed to require an equal distribution of members representing each entity specified in paragraph (3).

“§ 15102. National Commercial Fishing Safety Advisory Committee

“(a) ESTABLISHMENT.—There is established a National Commercial Fishing Safety Advisory Committee (in this section referred to as the ‘Committee’).

“(b) FUNCTION.—The Committee shall—

(1) advise the Secretary on matters relating to the safe operation of vessels to which chapter 45 of this title applies, including the matters of—

“(A) navigation safety;

“(B) safety equipment and procedures;

“(C) marine insurance;

“(D) vessel design, construction, maintenance, and operation; and

“(E) personnel qualifications and training; and

(2) review regulations proposed under chapter 45 of this title (during preparation of the regulations).

“(c) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall consist of 18 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

(3) REPRESENTATION.—Members of the Committee shall be appointed as follows:

“(A) 10 members shall represent the commercial fishing industry and—

“(i) as a group, shall together reflect a regional and representational balance; and

“(ii) as individuals, shall each have experience—

“(I) in the operation of vessels to which chapter 45 of this title applies; or

“(II) as a crew member or processing line worker on a fish processing vessel.

“(B) 1 member shall represent naval architects and marine engineers.

“(C) 1 member shall represent manufacturers of equipment for vessels to which chapter 45 of this title applies.

“(D) 1 member shall represent education and training professionals related to fishing vessel, fish processing vessel, and fish tender vessel safety and personnel qualifications.

“(E) 1 member shall represent underwriters that insure vessels to which chapter 45 of this title applies.

“(F) 1 member shall represent owners of vessels to which chapter 45 of this title applies.

“(G) 3 members shall represent the general public and, to the extent possible, shall include—

“(i) an independent expert or consultant in maritime safety;

“(ii) a marine surveyor who provides services to vessels to which chapter 45 of this title applies; and

“(iii) a person familiar with issues affecting fishing communities and the families of fishermen.

“§ 15103. National Merchant Marine Personnel Advisory Committee

“(a) ESTABLISHMENT.—There is established a National Merchant Marine Personnel Advisory Committee (in this section referred to as the ‘Committee’).

“(b) FUNCTION.—The Committee shall advise the Secretary on matters relating to personnel in the United States merchant marine, including the training, qualifications, certification, documentation, and fitness of mariners.

“(c) MEMBERSHIP.—

“(1) IN GENERAL.—The Committee shall consist of 19 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

“(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

“(3) REPRESENTATION.—Members of the Committee shall be appointed as follows:

“(A) 9 members shall represent mariners and, of the 9—

“(i) each shall—

“(I) be a citizen of the United States; and

“(II) hold an active license or certificate issued under chapter 71 of this title or a merchant mariner document issued under chapter 73 of this title;

“(ii) 3 shall be deck officers who represent merchant marine deck officers and, of the 3—

“(I) 2 shall be licensed for oceans any gross tons;

“(II) 1 shall be licensed for inland river route with a limited or unlimited tonnage;

“(III) 2 shall have a master’s license or a master of towing vessels license;

“(IV) 1 shall have significant tanker experience; and

“(V) to the extent practicable—

“(aa) 1 shall represent labor; and

“(bb) 1 shall represent management;

“(iii) 3 shall be engineering officers who represent merchant marine engineering officers and, of the 3—

“(I) 2 shall be licensed as chief engineer any horsepower;

“(II) 1 shall be licensed as either a limited chief engineer or a designated duty engineer; and

“(III) to the extent practicable—

“(aa) 1 shall represent labor; and

“(bb) 1 shall represent management;

“(iv) 2 shall be unlicensed seamen who represent merchant marine unlicensed seaman and, of the 2—

“(I) 1 shall represent able-bodied seamen; and

“(II) 1 shall represent qualified members of the engine department; and

“(v) 1 shall be a pilot who represents merchant marine pilots.

“(B) 6 members shall represent marine educators and, of the 6—

“(i) 3 shall be marine educators who represent maritime academies and, of the 3—

“(I) 2 shall represent State maritime academies (and are jointly recommended by such academies); and

“(II) 1 shall represent either State maritime academies or the United States Merchant Marine Academy; and

“(ii) 3 shall be marine educators who represent other maritime training institutions and, of the 3, 1 shall represent the small vessel industry.

“(C) 2 members shall represent shipping companies employed in ship operation management.

“(D) 2 members shall represent the general public.

“§ 15104. National Merchant Mariner Medical Advisory Committee

“(a) ESTABLISHMENT.—There is established a National Merchant Mariner Medical Advisory Committee (in this section referred to as the ‘Committee’).

“(b) FUNCTION.—The Committee shall advise the Secretary on matters relating to—

“(1) medical certification determinations for the issuance of licenses, certification of registry, and merchant mariners’ documents with respect to merchant mariners;

“(2) medical standards and guidelines for the physical qualifications of operators of commercial vessels;

“(3) medical examiner education; and

“(4) medical research.

“(c) MEMBERSHIP.—

“(1) IN GENERAL.—The Committee shall consist of 14 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

“(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

“(3) REPRESENTATION.—Members of the Committee shall be appointed as follows:

“(A) 9 shall represent health-care professionals and have particular expertise, knowledge, and experience regarding the medical examinations of merchant mariners or occupational medicine.

“(B) 5 shall represent professional mariners and have particular expertise, knowledge, and experience in occupational requirements for mariners.

“§ 15105. National Boating Safety Advisory Committee

“(a) ESTABLISHMENT.—There is established a National Boating Safety Advisory Committee (in this section referred to as the ‘Committee’).

“(b) FUNCTION.—The Committee shall advise the Secretary on matters relating to national boating safety.

“(c) MEMBERSHIP.—

“(1) IN GENERAL.—The Committee shall consist of 21 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

“(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

“(3) REPRESENTATION.—Members of the Committee shall be appointed as follows:

“(A) 7 members shall represent State officials responsible for State boating safety programs.

“(B) 7 members shall represent recreational vessel and associated equipment manufacturers.

“(C) 7 members shall represent the general public or national recreational boating organizations and, of the 7, at least 5 shall represent national recreational boating organizations.

“§ 15106. National Offshore Safety Advisory Committee

“(a) ESTABLISHMENT.—There is established a National Offshore Safety Advisory Committee (in this section referred to as the ‘Committee’).

“(b) FUNCTION.—The Committee shall advise the Secretary on matters relating to activities directly involved with, or in support of, the exploration of offshore mineral and energy resources, to the extent that such matters are within the jurisdiction of the Coast Guard.

“(c) MEMBERSHIP.—

“(1) IN GENERAL.—The Committee shall consist of 15 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

“(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

“(3) REPRESENTATION.—Members of the Committee shall be appointed as follows:

“(A) 2 members shall represent entities engaged in the production of petroleum.

“(B) 2 members shall represent entities engaged in offshore drilling.

“(C) 2 members shall represent entities engaged in the support, by offshore supply vessels or other vessels, of offshore mineral and oil operations, including geophysical services.

“(D) 1 member shall represent entities engaged in the construction of offshore exploration and recovery facilities.

“(E) 1 member shall represent entities engaged in diving services related to offshore construction, inspection, and maintenance.

“(F) 1 member shall represent entities engaged in safety and training services related to offshore exploration and construction.

“(G) 1 member shall represent entities engaged in pipelaying services related to offshore construction.

“(H) 2 members shall represent individuals employed in offshore operations and, of the 2, 1 shall have recent practical experience on a vessel or offshore unit involved in the offshore mineral and energy industry.

“(I) 1 member shall represent national environmental entities.

“(J) 1 member shall represent deepwater ports.

“(K) 1 member shall represent the general public (but not a specific environmental group).

“§ 15107. National Navigation Safety Advisory Committee

“(a) ESTABLISHMENT.—There is established a National Navigation Safety Advisory Committee (in this section referred to as the ‘Committee’).

“(b) FUNCTION.—The Committee shall advise the Secretary on matters relating to maritime collisions, ramblings, and groundings, Inland Rules of the Road, International Rules of the Road, navigation regulations and equipment, routing measures, marine information, and aids to navigation systems.

“(c) MEMBERSHIP.—

“(1) IN GENERAL.—The Committee shall consist of not more than 21 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

“(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

“(3) REPRESENTATION.—Each member of the Committee shall represent 1 of the following:

“(A) Commercial vessel owners or operators.

“(B) Professional mariners.

“(C) Recreational boaters.

“(D) The recreational boating industry.

“(E) State agencies responsible for vessel or port safety.

“(F) The Maritime Law Association.

“(4) DISTRIBUTION.—The Secretary shall, based on the needs of the Coast Guard, determine the number of members of the Committee who represent each entity specified in paragraph (3). Neither this paragraph nor any other

provision of law shall be construed to require an equal distribution of members representing each entity specified in paragraph (3).

“§15108. National Towing Safety Advisory Committee

“(a) ESTABLISHMENT.—There is established a National Towing Safety Advisory Committee (in this section referred to as the ‘Committee’).

“(b) FUNCTION.—The Committee shall advise the Secretary on matters relating to shallow-draft inland navigation, coastal waterway navigation, and towing safety.

“(c) MEMBERSHIP.—

“(1) IN GENERAL.—The Committee shall consist of 18 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

“(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

“(3) REPRESENTATION.—Members of the Committee shall be appointed as follows:

“(A) 7 members shall represent the barge and towing industry, reflecting a regional geographic balance.

“(B) 1 member shall represent the offshore mineral and oil supply vessel industry.

“(C) 1 member shall represent masters and pilots of towing vessels who hold active licenses and have experience on the Western Rivers and the Gulf Intracoastal Waterway.

“(D) 1 member shall represent masters of towing vessels in offshore service who hold active licenses.

“(E) 1 member shall represent masters of active ship-docking or harbor towing vessels.

“(F) 1 member shall represent licensed and unlicensed towing vessel engineers with formal training and experience.

“(G) 2 members shall represent port districts, authorities, or terminal operators.

“(H) 2 members shall represent shippers and, of the 2, 1 shall be engaged in the shipment of oil or hazardous materials by barge.

“(I) 2 members shall represent the general public.

“§15109. Administration

“(a) MEETINGS.—Each committee established under this chapter shall, at least once each year, meet at the call of the Secretary or a majority of the members of the committee.

“(b) EMPLOYEE STATUS.—A member of a committee established under this chapter shall not be considered an employee of the Federal Government by reason of service on such committee, except for the purposes of the following:

“(1) Chapter 81 of title 5.

“(2) Chapter 171 of title 28 and any other Federal law relating to tort liability.

“(c) COMPENSATION.—Notwithstanding subsection (b), a member of a committee established under this chapter, when actually engaged in the performance of the duties of such committee, may—

“(1) receive compensation at a rate established by the Secretary, not to exceed the maximum daily rate payable under section 5376 of title 5; or

“(2) if not compensated in accordance with paragraph (1)—

“(A) be reimbursed for actual and reasonable expenses incurred in the performance of such duties; or

“(B) be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5.

“(d) ACCEPTANCE OF VOLUNTEER SERVICES.—A member of a committee established under this chapter may serve on such committee on a voluntary basis without pay without regard to section 1342 of title 31 or any other law.

“(e) STATUS OF MEMBERS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), with respect to a member of a committee established under this chapter whom the Secretary appoints to represent an entity or group—

“(A) the member is authorized to represent the interests of the applicable entity or group; and

“(B) requirements under Federal law that would interfere with such representation and that apply to a special Government employee (as defined in section 202(a) of title 18), including requirements relating to employee conduct, political activities, ethics, conflicts of interest, and corruption, do not apply to the member.

“(2) EXCEPTION.—Notwithstanding subsection (b), a member of a committee established under this chapter shall be treated as a special Government employee for purposes of the committee service of the member if—

“(A) the Secretary appointed the member to represent the general public; or

“(B) the member, without regard to service on the committee, is a special Government employee.

“(f) SERVICE ON COMMITTEE.—

“(1) SOLICITATION OF NOMINATIONS.—Before appointing an individual as a member of a committee established under this chapter, the Secretary shall publish, in the Federal Register, a timely notice soliciting nominations for membership on such committee.

“(2) APPOINTMENTS.—

“(A) IN GENERAL.—After considering nominations received pursuant to a notice published under paragraph (1), the Secretary may, as necessary, appoint a member to the applicable committee established under this chapter.

“(B) PROHIBITION.—The Secretary shall not seek, consider, or otherwise use information concerning the political affiliation of a nominee in making an appointment to any committee established under this chapter.

“(3) SERVICE AT PLEASURE OF THE SECRETARY.—

“(A) IN GENERAL.—Each member of a committee established under this chapter shall serve at the pleasure of the Secretary.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), a member of the committee established under section 15102 may only be removed prior to the end of the term of that member for just cause.

“(4) SECURITY BACKGROUND EXAMINATIONS.—The Secretary may require an individual to have passed an appropriate security background examination before appointment to a committee established under this chapter.

“(5) PROHIBITION.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), a Federal employee may not be appointed as a member of a committee established under this chapter.

“(B) SPECIAL RULE FOR NATIONAL MERCHANT MARINE PERSONNEL ADVISORY COMMITTEE.—The Secretary may appoint a Federal employee to serve as a member of the National Merchant Marine Personnel Advisory Committee to represent the interests of the United States Merchant Marine Academy and, notwithstanding paragraphs (1) and (2), may do so without soliciting, receiving, or considering nominations for such appointment.

“(6) TERMS.—

“(A) IN GENERAL.—The term of each member of a committee established under this chapter shall expire on December 31 of the third full year after the effective date of the appointment.

“(B) CONTINUED SERVICE AFTER TERM.—When the term of a member of a committee established under this chapter ends, the member, for a period not to exceed 1 year, may continue to serve as a member until a successor is appointed.

“(7) VACANCIES.—A vacancy on a committee established under this chapter shall be filled in the same manner as the original appointment.

“(8) SPECIAL RULE FOR REAPPOINTMENTS.—Notwithstanding paragraphs (1) and (2), the Secretary may reappoint a member of a committee established under this chapter for any term, other than the first term of the member, without soliciting, receiving, or considering nominations for such appointment.

“(g) STAFF SERVICES.—The Secretary shall furnish to each committee established under this

chapter any staff and services considered by the Secretary to be necessary for the conduct of the committee’s functions.

“(h) CHAIRMAN; VICE CHAIRMAN.—

“(1) IN GENERAL.—Each committee established under this chapter shall elect a Chairman and Vice Chairman from among the committee’s members.

“(2) VICE CHAIRMAN ACTING AS CHAIRMAN.—The Vice Chairman shall act as Chairman in the absence or incapacity of, or in the event of a vacancy in the office of, the Chairman.

“(i) SUBCOMMITTEES AND WORKING GROUPS.—

“(1) IN GENERAL.—The Chairman of a committee established under this chapter may establish and disestablish subcommittees and working groups for any purpose consistent with the function of the committee.

“(2) PARTICIPANTS.—Subject to conditions imposed by the Chairman, members of a committee established under this chapter and additional persons drawn from entities or groups designated by this chapter to be represented on the committee or the general public may be assigned to subcommittees and working groups established under paragraph (1).

“(3) CHAIR.—Only committee members may chair subcommittees and working groups established under paragraph (1).

“(j) CONSULTATION, ADVICE, REPORTS, AND RECOMMENDATIONS.—

“(1) CONSULTATION.—

“(A) IN GENERAL.—Before taking any significant action, the Secretary shall consult with, and consider the information, advice, and recommendations of, a committee established under this chapter if the function of the committee is to advise the Secretary on matters related to the significant action.

“(B) INCLUSION.—For purposes of this paragraph, regulations proposed under chapter 45 of this title are significant actions.

“(2) ADVICE, REPORTS, AND RECOMMENDATIONS.—Each committee established under this chapter shall submit, in writing, to the Secretary its advice, reports, and recommendations, in a form and at a frequency determined appropriate by the committee.

“(3) EXPLANATION OF ACTIONS TAKEN.—Not later than 60 days after the date on which the Secretary receives recommendations from a committee under paragraph (2), the Secretary shall—

“(A) publish the recommendations on a website accessible at no charge to the public;

“(B) if the recommendations are from the committee established under section 15102, establish a mechanism for the submission of public comments on the recommendations; and

“(C) respond, in writing, to the committee regarding the recommendations, including by providing an explanation of actions taken regarding the recommendations.

“(4) SUBMISSION TO CONGRESS.—

“(A) IN GENERAL.—The Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the advice, reports, and recommendations received from committees under paragraph (2).

“(B) ADDITIONAL SUBMISSION.—With respect to a committee established under section 70112 and to which this section applies, the Secretary shall submit the advice, reports, and recommendations received from the committee under paragraph (2) to the Committee on Homeland Security of the House of Representatives in addition to the committees specified in subparagraph (A).

“(k) OBSERVERS.—Any Federal agency with matters under such agency’s administrative jurisdiction related to the function of a committee established under this chapter may designate a representative to—

“(1) attend any meeting of such committee; and

“(2) participate as an observer at meetings of such committee that relate to such a matter.

“(1) **TERMINATION.**—Each committee established under this chapter shall terminate on September 30, 2027.”.

(b) **CLERICAL AMENDMENT.**—The analysis for subtitle II of title 46, United States Code, is amended by inserting after the item relating to chapter 147 the following:

“Part K—National Maritime Transportation Advisory Committees

“151. National Maritime Transportation Advisory Committees 15101”.

(c) **CONFORMING AMENDMENTS.**—

(1) **COMMERCIAL FISHING SAFETY ADVISORY COMMITTEE.**—Section 4508 of title 46, United States Code, and the item relating to that section in the analysis for chapter 45 of that title, are repealed.

(2) **MERCHANT MARINER MEDICAL ADVISORY COMMITTEE.**—Section 7115 of title 46, United States Code, and the item relating to that section in the analysis for chapter 71 of that title, are repealed.

(3) **MERCHANT MARINE PERSONNEL ADVISORY COMMITTEE.**—

(A) **REPEAL.**—Section 8108 of title 46, United States Code, and the item relating to that section in the analysis for chapter 81 of that title, are repealed.

(B) **CONFORMING AMENDMENT.**—Section 7510(c)(1)(C) of title 46, United States Code, is amended by inserting “National” before “Merchant Marine”.

(4) **NATIONAL BOATING SAFETY ADVISORY COUNCIL.**—

(A) **REPEAL.**—Section 13110 of title 46, United States Code, and the item relating to that section in the analysis for chapter 131 of that title, are repealed.

(B) **CONFORMING AMENDMENTS.**—

(i) **REGULATIONS.**—Section 4302(c)(4) of title 46, United States Code, is amended by striking “Council established under section 13110 of this title” and inserting “Committee established under section 15105 of this title”.

(ii) **REPAIR AND REPLACEMENT OF DEFECTS.**—Section 4310(f) of title 46, United States Code, is amended by striking “Advisory Council” and inserting “Advisory Committee”.

(5) **NAVIGATION SAFETY ADVISORY COUNCIL.**—Section 5 of the Inland Navigational Rules Act of 1980 (33 U.S.C. 2073) is repealed.

(6) **TOWING SAFETY ADVISORY COMMITTEE.**—(A) **REPEAL.**—Public Law 96-380 (33 U.S.C. 1231a) is repealed.

(B) **CONFORMING AMENDMENTS.**—

(i) **REDUCTION OF OIL SPILLS FROM SINGLE HULL NON-SELF-PROPELLED TANK VESSELS.**—Section 3719 of title 46, United States Code, is amended by inserting “National” before “Towing Safety”.

(ii) **SAFETY EQUIPMENT.**—Section 4102(f)(1) of title 46, United States Code, is amended by inserting “National” before “Towing Safety”.

(d) **TREATMENT OF EXISTING COUNCILS AND COMMITTEES.**—Notwithstanding any other provision of law—

(1) an advisory council or committee substantially similar to an advisory committee established under chapter 151 of title 46, United States Code, as added by this Act, and that was in force or in effect on the day before the date of enactment of this section, including a council or committee the authority for which was repealed under subsection (c), may remain in force or in effect for a period of 2 years from the date of enactment of this section, including that the charter, membership, and other aspects of the council or committee may remain in force or in effect; and

(2) during the 2-year period referenced in paragraph (1)—

(A) requirements relating to the applicable advisory committee established under chapter 151 of title 46, United States Code, shall be treated as satisfied by the substantially similar advisory council or committee; and

(B) the enactment of this section, including the amendments made in this section, shall not be the basis—

(i) to deem, find, or declare such council or committee, including the charter, membership, and other aspects thereof, void, not in force, or not in effect;

(ii) to suspend the activities of such council or committee; or

(iii) to bar the members of such council or committee from meeting.

SEC. 602. MARITIME SECURITY ADVISORY COMMITTEES.

(a) **IN GENERAL.**—Section 70112 of title 46, United States Code, is amended to read as follows:

“§ 70112. Maritime Security Advisory Committees

“(a) **NATIONAL MARITIME SECURITY ADVISORY COMMITTEE.**—

“(1) **ESTABLISHMENT.**—There is established a National Maritime Security Advisory Committee (in this subsection referred to as the ‘Committee’).

“(2) **FUNCTION.**—The Committee shall advise the Secretary on matters relating to national maritime security, including on enhancing the sharing of information related to cybersecurity risks that may cause a transportation security incident, between relevant Federal agencies and—

“(A) State, local, and tribal governments;

“(B) relevant public safety and emergency response agencies;

“(C) relevant law enforcement and security organizations;

“(D) maritime industry;

“(E) port owners and operators; and

“(F) terminal owners and operators.

“(3) **MEMBERSHIP.**—

“(A) **IN GENERAL.**—The Committee shall consist of at least 8 members, but not more than 21 members, appointed by the Secretary in accordance with this subsection and section 15109 of this title.

“(B) **EXPERTISE.**—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

“(C) **REPRESENTATION.**—Each of the following shall be represented by at least 1 member of the Committee:

“(i) Port authorities.

“(ii) Facilities owners and operators.

“(iii) Terminal owners and operators.

“(iv) Vessel owners and operators.

“(v) Maritime labor organizations.

“(vi) The academic community.

“(vii) State and local governments.

“(viii) The maritime industry.

“(D) **DISTRIBUTION.**—If the Committee consists of at least 8 members who, together, satisfy the minimum representation requirements of subparagraph (C), the Secretary shall, based on the needs of the Coast Guard, determine the number of additional members of the Committee who represent each entity specified in that subparagraph. Neither this subparagraph nor any other provision of law shall be construed to require an equal distribution of members representing each entity specified in subparagraph (C).

“(4) **ADMINISTRATION.**—For purposes of section 15109 of this title, the Committee shall be treated as a committee established under chapter 151 of such title.

“(b) **AREA MARITIME SECURITY ADVISORY COMMITTEES.**—

“(1) **IN GENERAL.**—

“(A) **ESTABLISHMENT.**—The Secretary may—

“(i) establish an Area Maritime Security Advisory Committee for any port area of the United States; and

“(ii) request such a committee to review the proposed Area Maritime Transportation Security Plan developed under section 70103(b) and make recommendations to the Secretary that the committee considers appropriate.

“(B) **ADDITIONAL FUNCTIONS AND MEETINGS.**—A committee established under this subsection for an area—

“(i) may advise, consult with, report to, and make recommendations to the Secretary on matters relating to maritime security in that area;

“(ii) may make available to the Congress recommendations that the committee makes to the Secretary; and

“(iii) shall meet at the call of—

“(1) the Secretary, who shall call such a meeting at least once during each calendar year; or

“(2) a majority of the committee.

“(2) **MEMBERSHIP.**—

“(A) **IN GENERAL.**—Each committee established under this subsection shall consist of at least 7 members appointed by the Secretary, each of whom has at least 5 years practical experience in maritime security operations.

“(B) **TERMS.**—The term of each member of a committee established under this subsection shall be for a period of not more than 5 years, specified by the Secretary.

“(C) **NOTICE.**—Before appointing an individual to a position on a committee established under this subsection, the Secretary shall publish a notice in the Federal Register soliciting nominations for membership on the committee.

“(D) **BACKGROUND EXAMINATIONS.**—The Secretary may require an individual to have passed an appropriate security background examination before appointment to a committee established under this subsection.

“(E) **REPRESENTATION.**—Each committee established under this subsection shall be composed of individuals who represent the interests of the port industry, terminal operators, port labor organizations, and other users of the port areas.

“(3) **CHAIRPERSON AND VICE CHAIRPERSON.**—

“(A) **IN GENERAL.**—Each committee established under this subsection shall elect 1 of the committee’s members as the Chairperson and 1 of the committee’s members as the Vice Chairperson.

“(B) **VICE CHAIRPERSON ACTING AS CHAIRPERSON.**—The Vice Chairperson shall act as Chairperson in the absence or incapacity of the Chairperson, or in the event of a vacancy in the office of the Chairperson.

“(4) **OBSERVERS.**—

“(A) **IN GENERAL.**—The Secretary shall, and the head of any other interested Federal agency may, designate a representative to participate as an observer with a committee established under this subsection.

“(B) **ROLE.**—The Secretary’s designated representative to a committee established under this subsection shall act as the executive secretary of the committee and shall perform the duties set forth in section 10(c) of the Federal Advisory Committee Act (5 U.S.C. App.).

“(5) **CONSIDERATION OF VIEWS.**—The Secretary shall consider the information, advice, and recommendations of each committee established under this subsection in formulating policy regarding matters affecting maritime security.

“(6) **COMPENSATION AND EXPENSES.**—

“(A) **IN GENERAL.**—A member of a committee established under this subsection, when attending meetings of the committee or when otherwise engaged in the business of the committee, is entitled to receive—

“(i) compensation at a rate fixed by the Secretary, not exceeding the daily equivalent of the current rate of basic pay in effect for GS-15 of the General Schedule under section 5332 of title 5 including travel time; and

“(ii) travel or transportation expenses under section 5703 of title 5.

“(B) **STATUS.**—A member of a committee established under this subsection shall not be considered to be an officer or employee of the United States for any purpose based on the receipt of any payment under this paragraph.

“(7) **FACA.**—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to a committee established under this subsection.”.

(b) **TREATMENT OF EXISTING COMMITTEE.**—Notwithstanding any other provision of law—

(1) an advisory committee substantially similar to the National Maritime Security Advisory

Committee established under section 70112(a) of title 46, United States Code, as amended by this section, and that was in force or in effect on the day before the date of enactment of this section, may remain in force or in effect for a period of 2 years from the date of enactment of this section, including that the charter, membership, and other aspects of the committee may remain in force or in effect; and

(2) during the 2-year period referenced in paragraph (1)—

(A) requirements relating to the National Maritime Security Advisory Committee established under section 70112(a) of title 46, United States Code, as amended by this section, shall be treated as satisfied by the substantially similar advisory committee; and

(B) the enactment of this section, including the amendments made in this section, shall not be the basis—

(i) to deem, find, or declare such committee, including the charter, membership, and other aspects thereof, void, not in force, or not in effect;

(ii) to suspend the activities of such committee; or

(iii) to bar the members of such committee from meeting.

TITLE VII—FEDERAL MARITIME COMMISSION

SEC. 701. SHORT TITLE.

This title may be cited as the “Federal Maritime Commission Authorization Act of 2017”.

SEC. 702. AUTHORIZATION OF APPROPRIATIONS.

Section 308 of title 46, United States Code, is amended by striking “\$24,700,000 for each of fiscal years 2016 and 2017” and inserting “\$28,012,310 for fiscal year 2018 and \$28,544,543 for fiscal year 2019”.

SEC. 703. REPORTING ON IMPACT OF ALLIANCES ON COMPETITION.

Section 306 of title 46, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (4), by striking “; and” and inserting a semicolon;

(B) in paragraph (5), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(6) an analysis of the impacts on competition for the purchase of certain covered services by alliances of ocean common carriers acting pursuant to an agreement under this part between or among ocean common carriers, including a summary of actions, including corrective actions, taken by the Commission to promote such competition.”; and

(2) by adding at the end the following:

“(c) DEFINITION OF CERTAIN COVERED SERVICES.—In this section, the term ‘certain covered services’ has the meaning given the term in section 40102.”.

SEC. 704. DEFINITION OF CERTAIN COVERED SERVICES.

Section 40102 of title 46, United States Code, is amended—

(1) by redesignating paragraphs (5) through (25) as paragraphs (6) through (26), respectively; and

(2) by inserting after paragraph (4), the following:

“(5) CERTAIN COVERED SERVICES.—For purposes of sections 41105 and 41307, the term ‘certain covered services’ means, with respect to a vessel—

“(A) the berthing or bunkering of the vessel;

“(B) the loading or unloading of cargo to or from the vessel to or from a point on a wharf or terminal;

“(C) the positioning, removal, or replacement of buoys related to the movement of the vessel; and

“(D) with respect to injunctive relief under section 41307, towing vessel services provided to such a vessel.”.

SEC. 705. REPORTS FILED WITH THE COMMISSION.

Section 40104(a) of title 46, United States Code, is amended to read as follows:

“(a) REPORTS.—

“(1) IN GENERAL.—The Federal Maritime Commission may require a common carrier or marine terminal operator, or an officer, receiver, trustee, lessee, agent, or employee of the common carrier or marine terminal operator to file with the Commission a periodical or special report, an account, record, rate, or charge, or a memorandum of facts and transactions related to the business of the common carrier or marine terminal operator, as applicable.

“(2) REQUIREMENTS.—Any report, account, record, rate, charge, or memorandum required to be filed under paragraph (1) shall—

“(A) be made under oath if the Commission requires; and

“(B) be filed in the form and within the time prescribed by the Commission.

“(3) LIMITATION.—The Commission shall—

“(A) limit the scope of any filing ordered under this section to fulfill the objective of the order; and

“(B) provide a reasonable period of time for respondents to respond based upon their capabilities and the scope of the order.”.

SEC. 706. PUBLIC PARTICIPATION.

(a) NOTICE OF FILING.—Section 40304(a) of title 46, United States Code, is amended to read as follows:

“(a) NOTICE OF FILING.—Not later than 7 days after the date an agreement is filed, the Federal Maritime Commission shall—

“(1) transmit a notice of the filing to the Federal Register for publication; and

“(2) request interested persons to submit relevant information and documents.”.

(b) REQUEST FOR INFORMATION AND DOCUMENTS.—Section 40304(d) of title 46, United States Code, is amended by striking “section” and inserting “part”.

(c) SAVING CLAUSE.—Nothing in this section, or the amendments made by this section, may be construed—

(1) to prevent the Federal Maritime Commission from requesting from a person, at any time, any additional information or documents the Commission considers necessary to carry out chapter 403 of title 46, United States Code;

(2) to prescribe a specific deadline for the submission of relevant information and documents in response to a request under section 40304(a)(2) of title 46, United States Code; or

(3) to limit the authority of the Commission to request information under section 40304(d) of title 46, United States Code.

SEC. 707. OCEAN TRANSPORTATION INTERMEDIARIES.

(a) LICENSE REQUIREMENT.—Section 40901(a) of title 46, United States Code, is amended by inserting “advertise, hold oneself out, or” after “may not”.

(b) APPLICABILITY.—Section 40901 of title 46, United States Code, is amended by adding at the end the following:

“(c) APPLICABILITY.—Subsection (a) and section 40902 do not apply to a person that performs ocean transportation intermediary services on behalf of an ocean transportation intermediary for which it is a disclosed agent.”.

(c) FINANCIAL RESPONSIBILITY.—Section 40902(a) of title 46, United States Code, is amended by inserting “advertise, hold oneself out, or” after “may not”.

SEC. 708. COMMON CARRIERS.

(a) Section 41104 of title 46, United States Code, is amended—

(1) in the matter preceding paragraph (1), by inserting “(a) IN GENERAL.—” before “A common carrier”;

(2) in subsection (a), as designated—

(A) by amending paragraph (11) to read as follows:

“(11) knowingly and willfully accept cargo from or transport cargo for the account of a non-vessel-operating common carrier that does not have a tariff as required by section 40501 of this title, or an ocean transportation inter-

mediary that does not have a bond, insurance, or other surety as required by section 40902 of this title;”;

(B) in paragraph (12), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(13) continue to participate simultaneously in a rate discussion agreement and an agreement to share vessels, in the same trade, if the interplay of the authorities exercised by the specified agreements is likely, by a reduction in competition, to produce an unreasonable reduction in transportation service or an unreasonable increase in transportation cost.”; and

(3) by adding at the end the following:

“(b) RULE OF CONSTRUCTION.—Notwithstanding any other provision of law, there is no private right of action to enforce the prohibition under subsection (a)(13).

“(c) AGREEMENT VIOLATION.—Participants in an agreement found by the Commission to violate subsection (a)(13) shall have 90 days from the date of such Commission finding to withdraw from the agreement as necessary to comply with that subsection.”.

(b) APPLICATION.—Section 41104(a)(13) of title 46, United States Code, as amended, shall apply to any agreement filed or with an effective date before, on, or after the date of enactment of this Act.

SEC. 709. NEGOTIATIONS.

(a) CONCERTED ACTION.—Section 41105 of title 46, United States Code, is amended—

(1) by redesignating paragraphs (5) through (8) as paragraphs (7) through (10), respectively; and

(2) by inserting after paragraph (4) the following:

“(5) negotiate with a tug or towing vessel service provider on any matter relating to rates or services provided within the United States by those tugs or towing vessels;

“(6) with respect to a vessel operated by an ocean common carrier within the United States, negotiate for the purchase of certain covered services, unless the negotiations and any resulting agreements are not in violation of the antitrust laws and are consistent with the purposes of this part, except that this paragraph does not prohibit the setting and publishing of a joint through rate by a conference, joint venture, or association of ocean common carriers.”.

(b) AUTHORITY.—Chapter 411 of title 46, United States Code, is amended—

(1) by inserting after section 41105 the following:

“§41105A. Authority

“Nothing in section 41105, as amended by the Federal Maritime Commission Authorization Act of 2017, shall be construed to limit the authority of the Department of Justice regarding antitrust matters.”; and

(2) in the analysis at the beginning of chapter 411, by inserting after the item relating to section 41105 the following:

“41105A. Authority.”.

(c) EXEMPTION.—Section 40307(b)(1) of title 46, United States Code, is amended by inserting “tug operators,” after “motor carriers,”.

SEC. 710. INJUNCTIVE RELIEF SOUGHT BY THE COMMISSION.

(a) IN GENERAL.—Section 41307(b) of title 46, United States Code is amended—

(1) in paragraph (1) by inserting “or to substantially lessen competition in the purchasing of certain covered services” after “transportation cost”; and

(2) by adding at the end the following:

“(4) COMPETITION FACTORS.—In making a determination under this subsection regarding whether an agreement is likely to substantially lessen competition in the purchasing of certain covered services, the Commission may consider any relevant competition factors in affected markets, including, without limitation, the competitive effect of agreements other than the agreement under review.”.

(b) APPLICATION.—Section 41307(b) of title 46, United States Code, as amended, shall apply to any agreement filed or with an effective date before, on, or after the date of enactment of this Act.

SEC. 711. DISCUSSIONS.

(a) IN GENERAL.—Section 303 of title 46, United States Code, is amended to read as follows:

“§ 303. Meetings

“(a) IN GENERAL.—The Federal Maritime Commission shall be deemed to be an agency for purposes of section 552b of title 5.

“(b) RECORD.—The Commission, through its secretary, shall keep a record of its meetings and the votes taken on any action, order, contract, or financial transaction of the Commission.

“(c) NONPUBLIC COLLABORATIVE DISCUSSIONS.—

“(1) IN GENERAL.—Notwithstanding section 552b of title 5, a majority of the Commissioners may hold a meeting that is not open to public observation to discuss official agency business if—

“(A) no formal or informal vote or other official agency action is taken at the meeting;

“(B) each individual present at the meeting is a Commissioner or an employee of the Commission;

“(C) at least 1 Commissioner from each political party is present at the meeting, if applicable; and

“(D) the General Counsel of the Commission is present at the meeting.

“(2) DISCLOSURE OF NONPUBLIC COLLABORATIVE DISCUSSIONS.—Except as provided under paragraph (3), not later than 2 business days after the conclusion of a meeting under paragraph (1), the Commission shall make available to the public, in a place easily accessible to the public—

“(A) a list of the individuals present at the meeting; and

“(B) a summary of the matters discussed at the meeting, except for any matters the Commission properly determines may be withheld from the public under section 552b(c) of title 5.

“(3) EXCEPTION.—If the Commission properly determines matters may be withheld from the public under section 555b(c) of title 5, the Commission shall provide a summary with as much general information as possible on those matters withheld from the public.

“(4) ONGOING PROCEEDINGS.—If a meeting under paragraph (1) directly relates to an ongoing proceeding before the Commission, the Commission shall make the disclosure under paragraph (2) on the date of the final Commission decision.

“(5) PRESERVATION OF OPEN MEETINGS REQUIREMENTS FOR AGENCY ACTION.—Nothing in this subsection may be construed to limit the applicability of section 552b of title 5 with respect to a meeting of the Commissioners other than that described in this subsection.

“(6) STATUTORY CONSTRUCTION.—Nothing in this subsection may be construed—

“(A) to limit the applicability of section 552b of title 5 with respect to any information which is proposed to be withheld from the public under paragraph (2)(B) of this subsection; or

“(B) to authorize the Commission to withhold from any individual any record that is accessible to that individual under section 552a of title 5.”

(b) TABLE OF CONTENTS.—The analysis at the beginning of chapter 3 of title 46, United States Code, is amended by amending the item relating to section 303 to read as follows:

“303. Meetings.”

SEC. 712. TRANSPARENCY.

(a) IN GENERAL.—Beginning not later than 60 days after the date of enactment of this Act, the Federal Maritime Commission 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 biannual reports that describe the Commission’s progress toward addressing the issues raised in each unfinished regulatory proceeding, regardless of whether the proceeding is subject to a statutory or regulatory deadline.

(b) FORMAT OF REPORTS.—Each report under subsection (a) shall, among other things, clearly identify for each unfinished regulatory proceeding—

- (1) the popular title;
- (2) the current stage of the proceeding;
- (3) an abstract of the proceeding;
- (4) what prompted the action in question;
- (5) any applicable statutory, regulatory, or judicial deadline;
- (6) the associated docket number;
- (7) the date the rulemaking was initiated;
- (8) a date for the next action; and
- (9) if a date for next action identified in the previous report is not met, the reason for the delay.

SEC. 713. STUDY OF BANKRUPTCY PREPARATION AND RESPONSE.

(a) STUDY.—The Comptroller General of the United States shall conduct a study that examines the immediate aftermath of a major ocean carrier bankruptcy and its impact through the supply chain. The study shall consider any financial mechanisms that could be used to mitigate the impact of any future bankruptcy events on the supply chain.

(b) REPORT.—No later than 1 year after the date of enactment of this Act, the Comptroller General of the United States 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 containing the findings, conclusions, and recommendations, if any, from the study required under subsection (a).

SEC. 714. AGREEMENTS UNAFFECTED.

Nothing in this Act may be construed—

- (1) to limit or amend the definition of “agreement” in section 40102(1) of title 46, United States Code, with respect to the exclusion of maritime labor agreements; or
- (2) to apply to a maritime labor agreement (as defined in section 40102(15) of that title).

TITLE VIII—MISCELLANEOUS

SEC. 801. REPEAL OF OBSOLETE REPORTING REQUIREMENT.

Subsection (h) of section 888 of the Homeland Security Act of 2002 (6 U.S.C. 468) is repealed.

SEC. 802. CORRECTIONS TO PROVISIONS ENACTED BY COAST GUARD AUTHORIZATION ACTS.

Section 604(b) of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113–281; 128 Stat. 3061) is amended by inserting “and fishery endorsement” after “endorsement”.

SEC. 803. OFFICER EVALUATION REPORT.

(a) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Commandant of the Coast Guard shall reduce lieutenant junior grade evaluation reports to the same length as an ensign or place lieutenant junior grade evaluations on an annual schedule.

(b) SURVEYS.—Not later than 1 year after the date of the enactment of this Act, the Commandant of the Coast Guard shall conduct surveys of—

- (1) outgoing promotion board members and assignment officers to determine, at a minimum—
 - (A) which sections of the officer evaluation report were most useful;
 - (B) which sections of the officer evaluation report were least useful;
 - (C) how to better reflect high performers; and
 - (D) any recommendations for improving the officer evaluation report; and
- (2) at least 10 percent of the officers from each grade of officers from O1 to O6 to determine how

much time each member of the rating chain spends on that member’s portion of the officer evaluation report.

(c) REVISIONS.—

(1) IN GENERAL.—Not later than 4 years after the date of the completion of the surveys required by subsection (b), the Commandant of the Coast Guard shall revise the officer evaluation report, and provide corresponding directions, taking into account the requirements under paragraph (2).

(2) REQUIREMENTS.—In revising the officer evaluation report under paragraph (1), the Commandant shall—

- (A) consider the findings of the surveys under subsection (b);
- (B) improve administrative efficiency;
- (C) reduce and streamline performance dimensions and narrative text;
- (D) eliminate redundancy with the officer specialty management system and any other record information systems that are used during the officer assignment or promotion process;
- (E) provide for fairness and equity for Coast Guard officers with regard to promotion boards, selection panels, and the assignment process; and

(F) ensure officer evaluation responsibilities can be accomplished within normal working hours—

- (i) to minimize any impact to officer duties; and
- (ii) to eliminate any need for an officer to take liberty or leave for administrative purposes.

(d) REPORT.—

(1) IN GENERAL.—Not later than 545 days after the date of the enactment of this Act, the Commandant of the Coast Guard 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 on the findings of the surveys under subsection (b).

(2) FORMAT.—The report under paragraph (1) shall be formatted by each rank, type of board, and position, as applicable.

SEC. 804. EXTENSION OF AUTHORITY.

Section 404 of the Coast Guard Authorization Act of 2010 (Public Law 111–281; 124 Stat. 2950) is amended—

(1) in subsection (a), in the text preceding paragraph (1), by striking “sections 3304, 5333, and 5753” and inserting “section 3304”; and

(2) by striking subsection (b), and redesignating subsection (c) as subsection (b).

SEC. 805. COAST GUARD ROTC PROGRAM.

Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard 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 on the costs and benefits of creating a Coast Guard Reserve Officers’ Training Corps Program based on the other Armed Forces programs.

SEC. 806. CURRENCY DETECTION CANINE TEAM PROGRAM.

(a) DEFINITIONS.—In this section:

(1) CANINE CURRENCY DETECTION TEAM.—The term “canine currency detection team” means a canine and a canine handler that are trained to detect currency.

(2) SECRETARY.—The term “Secretary” means the Secretary of the department in which the Coast Guard is operating.

(b) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a program to allow the use of canine currency detection teams for purposes of Coast Guard maritime law enforcement, including underway vessel boardings.

(c) OPERATION.—The Secretary may cooperate with, or enter into an agreement with, the head of another Federal agency to meet the requirements under subsection (b).

SEC. 807. CENTER OF EXPERTISE FOR GREAT LAKES OIL SPILL SEARCH AND RESPONSE.

(a) *IN GENERAL.*—Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard shall establish a Center of Expertise for Great Lakes Oil Spill Preparedness and Response (referred to in this section as the “Center of Expertise”) in accordance with section 313 of title 14, United States Code, as amended by this Act.

(b) *LOCATION.*—The Center of Expertise shall be located in close proximity to—

(1) critical crude oil transportation infrastructure on and connecting the Great Lakes, such as submerged pipelines and high-traffic navigation locks; and

(2) an institution of higher education with adequate aquatic research laboratory facilities and capabilities and expertise in Great Lakes aquatic ecology, environmental chemistry, fish and wildlife, and water resources.

(c) *FUNCTIONS.*—The Center of Expertise shall—

(1) monitor and assess, on an ongoing basis, the current state of knowledge regarding freshwater oil spill response technologies and the behavior and effects of oil spills in the Great Lakes;

(2) identify any significant gaps in Great Lakes oil spill research, including an assessment of major scientific or technological deficiencies in responses to past spills in the Great Lakes and other freshwater bodies, and seek to fill those gaps;

(3) conduct research, development, testing, and evaluation for freshwater oil spill response equipment, technologies, and techniques to mitigate and respond to oil spills in the Great Lakes;

(4) educate and train Federal, State, and local first responders located in Coast Guard District 9 in—

(A) the incident command system structure;

(B) Great Lakes oil spill response techniques and strategies; and

(C) public affairs; and

(5) work with academic and private sector response training centers to develop and standardize maritime oil spill response training and techniques for use on the Great Lakes.

(d) *DEFINITION.*—In this section, the term “Great Lakes” means Lake Superior, Lake Michigan, Lake Huron, Lake Erie, and Lake Ontario.

SEC. 808. PUBLIC SAFETY ANSWERING POINTS AND MARITIME SEARCH AND RESCUE COORDINATION.

Not later than 180 days after the date of the enactment of this Act—

(1) the Secretary of the department in which the Coast Guard is operating acting through the Commandant of the Coast Guard shall review Coast Guard policies and procedures for public safety answering points and search-and-rescue coordination with State and local law enforcement entities in order to—

(A) further minimize the possibility of maritime 911 calls being improperly routed; and

(B) assure the Coast Guard is able to effectively carry out the Coast Guard’s maritime search and rescue mission; and

(2) the Commandant shall—

(A) formulate a national maritime public safety answering points policy; and

(B) submit a report to the Congress on such assessment and policy, which shall include an update to the report submitted in accordance with section 233 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014.

SEC. 809. SHIP SHOAL LIGHTHOUSE TRANSFER: REPEAL.

Effective January 1, 2021, section 27 of the Coast Guard Authorization Act of 1991 (Public Law 102-241; 105 Stat. 2218) is repealed.

SEC. 810. LAND EXCHANGE, AYAKULIK ISLAND, ALASKA.

(a) *LAND EXCHANGE; AYAKULIK ISLAND, ALASKA.*—If the owner of Ayakulik Island, Alaska, offers to exchange the Island for the Tract—

(1) within 10 days after receiving such offer, the Secretary shall provide notice of the offer to the Commandant;

(2) within 90 days after receiving the notice under paragraph (1), the Commandant shall develop and transmit to the Secretary proposed operational restrictions on commercial activity conducted on the Tract, including the right of the Commandant to—

(A) order the immediate termination, for a period of up to 72 hours, of any activity occurring on or from the Tract that violates or threatens to violate one or more of such restrictions; or

(B) commence a civil action for appropriate relief, including a permanent or temporary injunction enjoining the activity that violates or threatens to violate such restrictions;

(3) within 90 days after receiving the proposed operational restrictions from the Commandant, the Secretary shall transmit such restrictions to the owner of Ayakulik Island; and

(4) within 30 days after transmitting the proposed operational restrictions to the owner of Ayakulik Island, and if the owner agrees to such restrictions, the Secretary shall convey all right, title, and interest of the United States in and to the Tract to the owner, subject to an easement granted to the Commandant to enforce such restrictions, in exchange for all right, title, and interest of such owner in and to Ayakulik Island.

(b) *BOUNDARY REVISIONS.*—The Secretary may make technical and conforming revisions to the boundaries of the Tract before the date of the exchange.

(c) *PUBLIC LAND ORDER.*—Effective on the date of an exchange under subsection (a), Public Land Order 5550 shall have no force or effect with respect to submerged lands that are part of the Tract.

(d) *FAILURE TO TIMELY RESPOND TO NOTICE.*—If the Commandant does not transmit proposed operational restrictions to the Secretary within 30 days after receiving the notice under subsection (a)(1), the Secretary shall, by not later than 60 days after transmitting such notice, convey all right, title, and interest of the United States in and to the Tract to the owner of Ayakulik Island in exchange for all right, title, and interest of such owner in and to Ayakulik Island.

(e) *CERCLA NOT AFFECTED.*—This section and an exchange under this section shall not be construed to limit the application of or otherwise affect section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(f) *DEFINITIONS.*—In this section:

(1) *COMMANDANT.*—The term “Commandant” means the Secretary of the department in which the Coast Guard is operating, acting through the Commandant of the Coast Guard.

(2) *SECRETARY.*—The term “Secretary” means the Secretary of the Interior.

(3) *TRACT.*—The term “Tract” means the land (including submerged land) depicted as “PROPOSED PROPERTY EXCHANGE AREA” on the survey titled “PROPOSED PROPERTY EXCHANGE PARCEL” and dated 3/22/17.

SEC. 811. USE OF TRACT 43.

Section 524(e)(2) of the Pribilof Island Transition Completion Act of 2016 (Public Law 114-120), as amended by section 3533 of the Pribilof Island Transition Completion Amendments Act of 2016 (subTitle B of title XXXV of Public Law 114-328), is amended by—

(1) striking “each month” and inserting “each April and October”; and

(2) striking “previous month” and inserting “previous six months”.

SEC. 812. COAST GUARD MARITIME DOMAIN AWARENESS.

(a) *IN GENERAL.*—The Secretary of the department in which the Coast Guard is operating shall seek to enter into an arrangement with the National Academy of Sciences not later than 60 days after the date of the enactment of this Act

under which the Academy shall prepare an assessment of available unmanned, autonomous, or remotely controlled maritime domain awareness technologies for use by the Coast Guard.

(b) *ASSESSMENT.*—The assessment shall—

(1) describe the potential limitations of current and emerging unmanned technologies used in the maritime domain for—

(A) ocean observation;

(B) vessel monitoring and identification;

(C) weather observation;

(D) to the extent practicable for consideration by the Academy, intelligence gathering, surveillance, and reconnaissance; and

(E) communications;

(2) examine how technologies described in paragraph (1) can help prioritize Federal investment by examining;

(A) affordability, including acquisition, operations, and maintenance;

(B) reliability;

(C) versatility;

(D) efficiency; and

(E) estimated service life and persistence of effort; and

(3) analyze whether the use of new and emerging maritime domain awareness technologies can be used to—

(A) carry out Coast Guard missions at lower costs;

(B) expand the scope and range of Coast Guard maritime domain awareness;

(C) allow the Coast Guard to more efficiently and effectively allocate Coast Guard vessels, aircraft, and personnel; and

(D) identify adjustments that would be necessary in Coast Guard policies, procedures, and protocols to incorporate unmanned technologies to enhance efficiency.

(c) *REPORT TO CONGRESS.*—Not later than 1 year after entering into an arrangement with the Secretary under subsection (a), the National Academy of Sciences shall submit the assessment prepared under this section to the Committees on Transportation and Infrastructure and Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(d) *USE OF INFORMATION.*—In formulating costs pursuant to subsection (b), the National Academy of Sciences may utilize information from other Coast Guard reports, assessments, or analyses regarding existing Coast Guard manpower requirements or other reports, assessments, or analyses for the acquisition of unmanned, autonomous, or remotely controlled technologies by the Federal Government.

SEC. 813. MONITORING.

(a) *IN GENERAL.*—The Secretary of the department in which the Coast Guard is operating shall conduct a 1-year pilot program to determine the impact of persistent use of different types of surveillance systems on illegal maritime activities, including illegal, unreported, and unregulated fishing, in the Western Pacific region.

(b) *REQUIREMENTS.*—The pilot program shall—

(1) consider the use of light aircraft-based detection systems that can identify potential illegal activity from high altitudes and produce enforcement-quality evidence at low altitudes; and

(2) be directed at detecting and deterring illegal maritime activities, including illegal, unreported, and unregulated fishing, and enhancing maritime domain awareness.

SEC. 814. REIMBURSEMENTS FOR NON-FEDERAL CONSTRUCTION COSTS OF CERTAIN AIDS TO NAVIGATION.

(a) *IN GENERAL.*—Subject to the availability of amounts specifically provided in advance in subsequent appropriations Acts and in accordance with this section, the Commandant of the Coast Guard may reimburse a non-Federal entity for costs incurred by the entity for a covered project.

(b) *CONDITIONS.*—The Commandant may not provide reimbursement under subsection (a) with respect to a covered project unless—

(1) the need for the project is a result of the completion of construction with respect to a federally authorized navigation channel;

(2) the Commandant determines, through an appropriate navigation safety analysis, that the project is necessary to ensure safe marine transportation;

(3) the Commandant approves the design of the project to ensure that it meets all applicable Coast Guard aids-to-navigation standards and requirements;

(4) the non-Federal entity agrees to transfer the project upon completion to the Coast Guard for operation and maintenance by the Coast Guard as a Federal aid to navigation;

(5) the non-Federal entity carries out the project in accordance with the same laws and regulations that would apply to the Coast Guard if the Coast Guard carried out the project, including obtaining all permits required for the project under Federal and State law; and

(6) the Commandant determines that the project satisfies such additional requirements as may be established by the Commandant.

(c) LIMITATIONS.—Reimbursements under subsection (a) may not exceed the following:

(1) For a single covered project, \$5,000,000.

(2) For all covered projects in a single fiscal year, \$5,000,000.

(d) EXPIRATION.—The authority granted under this section shall expire on the date that is 4 years after the date of enactment of this section.

(e) COVERED PROJECT DEFINED.—In this section, the term “covered project” means a project carried out—

(1) by a non-Federal entity to construct and establish an aid to navigation that facilitates safe and efficient marine transportation on a Federal navigation project authorized by title I of the Water Resources Development Act of 2007 (Public Law 110-114); and

(2) in an area that was affected by Hurricane Harvey.

SEC. 815. TOWING SAFETY MANAGEMENT SYSTEM FEES.

(a) REVIEW.—The Commandant of the Coast Guard shall—

(1) review and compare the costs to the Government of—

(A) towing vessel inspections performed by the Coast Guard; and

(B) such inspections performed by a third party; and

(2) based on such review and comparison, determine whether the costs to the Government of such inspections performed by a third party are different than the costs to the Government of such inspections performed by the Coast Guard.

(b) REVISION OF FEES.—If the Commandant determines under subsection (a) that the costs to the Government of such inspections performed by a third party are different than the costs to the Government of such inspections performed by the Coast Guard, then the Commandant shall revise the fee assessed by the Coast Guard for such inspections as necessary to conform to the requirements under section 9701 of title 31, United States Code, that such fee be based on the cost to the Government of such inspections and accurately reflect such costs.

SEC. 816. OIL SPILL DISBURSEMENTS AUDITING AND REPORT.

Section 1012 of the Oil Pollution Act of 1990 (33 U.S.C. 2712) is amended—

(1) by repealing subsection (g);

(2) in subsection (l)(1), by striking “Within one year after the date of enactment of the Coast Guard Authorization Act of 2010, and annually thereafter,” and inserting “Each year, on the date on which the President submits to Congress a budget under section 1105 of title 31, United States Code,”; and

(3) by amending subsection (l)(2) to read as follows:

“(2) CONTENTS.—The report shall include—

“(A) a list of each incident that—

“(i) occurred in the preceding fiscal year; and

“(ii) resulted in disbursements from the Fund, for removal costs and damages, totaling \$500,000 or more;

“(B) a list of each incident that—

“(i) occurred in the fiscal year preceding the preceding fiscal year; and

“(ii) resulted in disbursements from the Fund, for removal costs and damages, totaling \$500,000 or more; and

“(C) an accounting of any amounts reimbursed to the Fund in the preceding fiscal year that were recovered from a responsible party for an incident that resulted in disbursements from the Fund, for removal costs and damages, totaling \$500,000 or more.”.

SEC. 817. FLEET REQUIREMENTS ASSESSMENT AND STRATEGY.

(a) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating, in consultation with interested Federal and non-Federal stakeholders, 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 including—

(1) an assessment of Coast Guard at-sea operational fleet requirements to support its statutory missions established in the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.); and

(2) a strategic plan for meeting the requirements identified under paragraph (1).

(b) CONTENTS.—The report under subsection (a) shall include—

(1) an assessment of—

(A) the extent to which the Coast Guard at-sea operational fleet requirements referred to in subsection (a)(1) are currently being met;

(B) the Coast Guard’s current fleet, its operational lifespan, and how the anticipated changes in the age and distribution of vessels in the fleet will impact the ability to meet at-sea operational requirements;

(C) fleet operations and recommended improvements to minimize costs and extend operational vessel life spans; and

(D) the number of Fast Response Cutters, Offshore Patrol Cutters, and National Security Cutters needed to meet at-sea operational requirements as compared to planned acquisitions under the current programs of record;

(2) an analysis of—

(A) how the Coast Guard at-sea operational fleet requirements are currently met, including the use of the Coast Guard’s current cutter fleet, agreements with partners, chartered vessels, and unmanned vehicle technology; and

(B) whether existing and planned cutter programs of record (including the Fast Response Cutter, Offshore Patrol Cutter, and National Security Cutter) will enable the Coast Guard to meet at-sea operational requirements; and

(3) a description of—

(A) planned manned and unmanned vessel acquisition; and

(B) how such acquisitions will change the extent to which the Coast Guard at-sea operational requirements are met.

(c) CONSULTATION AND TRANSPARENCY.—

(1) CONSULTATION.—In consulting with the Federal and non-Federal stakeholders under subsection (a), the Secretary of the department in which the Coast Guard is operating shall—

(A) provide the stakeholders with opportunities for input—

(i) prior to initially drafting the report, including the assessment and strategic plan; and

(ii) not later than 3 months prior to finalizing the report, including the assessment and strategic plan, for submission; and

(B) document the input and its disposition in the report.

(2) TRANSPARENCY.—All input provided under paragraph (1) shall be made available to the public.

(d) ENSURING MARITIME COVERAGE.—In order to meet Coast Guard mission requirements for

search and rescue, ports, waterways, and coastal security, and maritime environmental response during recapitalization of Coast Guard vessels, the Coast Guard shall ensure continuity of the coverage, to the maximum extent practicable, in the locations that may lose assets.

SEC. 818. NATIONAL SECURITY CUTTER.

(a) STANDARD METHOD FOR TRACKING.—The Commandant of the Coast Guard may not certify an eighth National Security Cutter as Ready for Operations before the date on which the Commandant provides to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate—

(1) a notification of a new standard method for tracking operational employment of Coast Guard major cutters that does not include time during which such a cutter is away from its homeport for maintenance or repair; and

(2) a report analyzing cost and performance for different approaches to achieving varied levels of operational employment using the standard method required by paragraph (1) that, at a minimum—

(A) compares over a 30-year period the average annualized baseline cost and performances for a certified National Security Cutter that operated for 185 days away from homeport or an equivalent alternative measure of operational tempo—

(i) against the cost of a 15 percent increase in days away from homeport or an equivalent alternative measure of operational tempo for a National Security Cutter; and

(ii) against the cost of the acquisition and operation of an additional National Security Cutter; and

(B) examines the optimal level of operational employment of National Security Cutters to balance National Security Cutter cost and mission performance.

(b) CONFORMING AMENDMENTS.—

(1) Section 221(b) of the Coast Guard and Maritime Transportation Act of 2012 (126 Stat. 1560) is repealed.

(2) Section 204(c)(1) of the Coast Guard Authorization Act of 2016 (130 Stat. 35) is repealed.

SEC. 819. ACQUISITION PLAN FOR INLAND WATERWAY AND RIVER TENDERS AND BAY-CLASS ICEBREAKERS.

(a) ACQUISITION PLAN.—Not later than 270 days after the date of the enactment of this Act, the Commandant of the Coast Guard 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 plan to replace or extend the life of the Coast Guard fleet of inland waterway and river tenders, and the Bay-class icebreakers.

(b) CONTENTS.—The plan under subsection (a) shall include—

(1) an analysis of the work required to extend the life of vessels described in subsection (a);

(2) recommendations for which, if any, such vessels it is cost effective to undertake a ship-life extension or enhanced maintenance program;

(3) an analysis of the aids to navigation program to determine if advances in navigation technology may reduce the needs for physical aids to navigation;

(4) recommendations for changes to physical aids to navigation and the distribution of such aids that reduce the need for the acquisition of vessels to replace the vessels described in subsection (a);

(5) a schedule for the acquisition of vessels to replace the vessels described in subsection (a), including the date on which the first vessel will be delivered;

(6) the date such acquisition will be complete;

(7) a description of the order and location of replacement vessels;

(8) an estimate of the cost per vessel and of the total cost of the acquisition program of record; and

(9) an analysis of whether existing vessels can be used.

SEC. 820. GREAT LAKES ICEBREAKER ACQUISITION.

(a) **ICEBREAKING ON THE GREAT LAKES.**—For fiscal years 2018 and 2019, the Commandant of the Coast Guard may use funds made available pursuant to section 4902 of title 14, United States Code, as amended by this Act, for the construction of an icebreaker that is at least as capable as the Coast Guard Cutter Mackinaw to enhance icebreaking capacity on the Great Lakes.

(b) **ACQUISITION PLAN.**—Not later than 45 days after the date of enactment of this Act, the Commandant shall submit a plan to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives for acquiring an icebreaker described in subsections (a) and (b). Such plan shall include—

(1) the details and schedule of the acquisition activities to be completed; and

(2) a description of how the funding for Coast Guard acquisition, construction, and improvements that was appropriated under the Consolidated Appropriations Act, 2017 (Public Law 115–31) will be allocated to support the acquisition activities referred to in paragraph (1).

SEC. 821. POLAR ICEBREAKERS.

(a) **ENHANCED MAINTENANCE PROGRAM FOR THE POLAR STAR.**—

(1) **IN GENERAL.**—Subject to the availability of appropriations, the Commandant of the Coast Guard shall conduct an enhanced maintenance program on Coast Guard Cutter Polar Star (WAGB-10) to extend the service life of such vessel until at least December 31, 2025.

(2) **REQUIREMENT FOR REPORT.**—Not later than 180 days after the date of enactment of the Coast Guard Authorization Act of 2017, the Secretary of the department in which the Coast Guard is operating, in consultation with Naval Sea Systems Command, shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate and the Committee on Transportation and Infrastructure and the Committee on Armed Services of the House of Representatives a detailed report describing a plan to extend the service life of the Coast Guard Cutter Polar Star (WAGB-10) until at least December 31, 2025, through an enhanced maintenance program.

(3) **CONTENT.**—The report required by paragraph (2) shall include the following:

(A) An assessment and discussion of the enhanced maintenance program recommended by the National Academies of Sciences, Engineering, and Medicine's Committee on Polar Icebreaker Cost Assessment in the letter report "Acquisition and Operation of Polar Icebreakers: Fulfilling the Nation's Needs".

(B) An assessment and discussion of the Government Accountability Office's concerns and recommendations regarding service life extension work on Coast Guard Cutter Polar Star (WAGB-10) in the report "Status of the Coast Guard's Polar Icebreaking Fleet Capability and Recapitalization Plan".

(C) Based upon a materiel condition assessment of the Coast Guard Cutter Polar Star (WAGB-10)—

(i) a description of the service life extension needs of the vessel;

(ii) detailed information regarding planned shipyard work for each fiscal year to meet such needs; and

(iii) an estimate of the amount needed to be appropriated to complete the enhanced maintenance program.

(D) A plan to ensure the vessel will maintain seasonally operational status during the enhanced maintenance program.

(4) **AUTHORIZATION OF APPROPRIATIONS.**—The Commandant of the Coast Guard may use funds made available pursuant to section 4902 of title

14, United States Code, as amended by section 202 of this Act, for the enhanced maintenance program described in the report required by subsection (a).

(b) **COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2012; AMENDMENT.**—Section 222 of the Coast Guard and Maritime Transportation Act of 2012 (Public Law 112–213), as amended, is further amended as follows:

(1) by striking subsections (a) through (d);

(2) by redesignating subsections (e) through (g) as subsections (a) through (c), respectively;

(3) in subsection (a), as redesignated—

(A) in the matter preceding paragraph (1), by striking "Except as provided in subsection (c), the Commandant" and inserting "The Commandant";

(B) in paragraph (1) by striking "Polar Sea or";

(C) in paragraph (2) by striking "either of the vessels" and inserting "the Polar Star or the Polar Sea"; and

(D) in paragraph (3) by striking "either of the vessels" each place it appears and inserting "the Polar Star".

SEC. 822. STRATEGIC ASSETS IN THE ARCTIC.

(a) **DEFINITION OF ARCTIC.**—In this section, the term "Arctic" has the meaning given the term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the Arctic continues to grow in significance to both the national security interests and the economic prosperity of the United States; and

(2) the Coast Guard must ensure it is positioned to respond to any accident, incident, or threat with appropriate assets.

(c) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard, in consultation with the Secretary of Defense and taking into consideration the Department of Defense 2016 Arctic Strategy, 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 on the progress toward implementing the strategic objectives described in the United States Coast Guard Arctic Strategy dated May 2013.

(d) **CONTENTS.**—The report under subsection (c) shall include—

(1) a description of the Coast Guard's progress toward each strategic objective identified in the United States Coast Guard Arctic Strategy dated May 2013;

(2) an assessment of the assets and infrastructure necessary to meet the strategic objectives identified in the United States Coast Guard Arctic Strategy dated May 2013 based on factors such as—

(A) response time;

(B) coverage area;

(C) endurance on scene;

(D) presence; and

(E) deterrence;

(3) an analysis of the sufficiency of the distribution of National Security Cutters, Offshore Patrol Cutters, and Fast Response Cutters both stationed in various Alaskan ports and in other locations to meet the strategic objectives identified in the United States Coast Guard Arctic Strategy, dated May 2013;

(4) plans to provide communications throughout the entire Coastal Western Alaska Captain of the Port zone to improve waterway safety and mitigate close calls, collisions, and other dangerous interactions between the shipping industry and subsistence hunters;

(5) plans to prevent marine casualties, when possible, by ensuring vessels avoid environmentally sensitive areas and permanent security zones;

(6) an explanation of—

(A) whether it is feasible to establish a vessel traffic service, using existing resources or otherwise; and

(B) whether an Arctic Response Center of Expertise is necessary to address the gaps in experience, skills, equipment, resources, training, and doctrine to prepare, respond to, and recover spilled oil in the Arctic; and

(7) an assessment of whether sufficient agreements are in place to ensure the Coast Guard is receiving the information it needs to carry out its responsibilities.

SEC. 823. ARCTIC PLANNING CRITERIA.

(a) **ALTERNATIVE PLANNING CRITERIA.**—

(1) **IN GENERAL.**—For purposes of the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), the Commandant of the Coast Guard may approve a vessel response plan under section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321) for a vessel operating in any area covered by the Captain of the Port Zone (as established by the Commandant) that includes the Arctic, if the Commandant verifies that—

(A) equipment required to be available for response under the plan has been tested and proven capable of operating in the environmental conditions expected in the area in which it is intended to be operated; and

(B) the operators of such equipment have conducted training on the equipment within the area covered by such Captain of the Port Zone.

(2) **POST-APPROVAL REQUIREMENTS.**—In approving a vessel response plan under paragraph (1), the Commandant shall—

(A) require that the oil spill removal organization identified in the vessel response plan conduct regular exercises and drills using the response resources identified in the plan in the area covered by the Captain of the Port Zone that includes the Arctic; and

(B) allow such oil spill removal organization to take credit for a response to an actual spill or release in the area covered by such Captain of the Port Zone, instead of conducting an exercise or drill required under subparagraph (A), if the oil spill removal organization—

(i) documents which exercise or drill requirements were met during the response; and

(ii) submits a request for credit to, and receives approval from, the Commandant.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than 120 days after the date of enactment of this Act, the Commandant of the Coast Guard 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 on the oil spill prevention and response capabilities for the area covered by the Captain of the Port Zone (as established by the Commandant) that includes the Arctic.

(2) **CONTENTS.**—The report submitted under paragraph (1) shall include the following:

(A) A description of equipment and assets available for response under the vessel response plans approved for vessels operating in the area covered by the Captain of the Port Zone, including details on any providers of such equipment and assets.

(B) A description of the location of such equipment and assets, including an estimate of the time to deploy the equipment and assets.

(C) A determination of how effectively such equipment and assets are distributed throughout the area covered by the Captain of the Port Zone.

(D) A statement regarding whether the ability to maintain and deploy such equipment and assets is taken into account when measuring the equipment and assets available throughout the area covered by the Captain of the Port Zone.

(E) A validation of the port assessment visit process and response resource inventory for response under the vessel response plans approved for vessels operating in the area covered by the Captain of the Port Zone.

(F) A determination of the compliance rate with Federal vessel response plan regulations in the area covered by the Captain of the Port Zone during the previous 3 years.

(G) A description of the resources needed throughout the area covered by the Captain of the Port Zone to conduct port assessments, exercises, response plan reviews, and spill responses.

(c) **DEFINITION OF ARCTIC.**—In this section, the term “Arctic” has the meaning given the term under section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).

SEC. 824. VESSEL RESPONSE PLAN AUDIT.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall complete and 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 comprehensive review of the processes and resources used by the Coast Guard to implement vessel response plan requirements under section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321).

(b) **REQUIRED ELEMENTS OF REVIEW.**—The review required under subsection (a) shall, at a minimum, include—

(1) a study, or an audit if appropriate, of the processes the Coast Guard uses—

(A) to approve the vessel response plans referred to in subsection (a);

(B) to approve alternate planning criteria used in lieu of National Planning Criteria in approving such plans;

(C) to verify compliance with such plans; and

(D) to act in the event of a failure to comply with the requirements of such plans;

(2) an examination of all Federal and State agency resources used by the Coast Guard in carrying out the processes identified under paragraph (1), including—

(A) the current staffing model and organization;

(B) data, software, simulators, systems, or other technology, including those pertaining to weather, oil spill trajectory modeling, and risk management;

(C) the total amount of time per fiscal year expended by Coast Guard personnel to approve and verify compliance with vessel response plans; and

(D) the average amount of time expended by the Coast Guard for approval of, and verification of compliance with, a single vessel response plan;

(3) an analysis of how, including by what means or methods, the processes identified under paragraph (1)—

(A) ensure compliance with applicable law;

(B) are implemented by the Coast Guard, including at the district and sector levels;

(C) are informed by public comment and engagement with States, Indian Tribes, and other regional stakeholders;

(D) ensure availability and adequate operational capability and capacity of required assets and equipment, including in cases in which contractual obligations may limit the availability of such assets and equipment for response;

(E) provide for adequate asset and equipment mobilization time requirements, particularly with respect to—

(i) calculation and establishment of such requirements;

(ii) verifying compliance with such requirements; and

(iii) factoring in weather, including specific regional adverse weather as defined in section 155.1020 of title 33, Code of Federal Regulations, in calculating, establishing, and verifying compliance with such requirements;

(F) ensure response plan updates and vessel compliance when changes occur in response planning criteria, asset and equipment mobilization times, or regional response needs, such as trends in transportation of high gravity oils or changes in vessel traffic volume; and

(G) enable effective action by the Coast Guard in the event of a failure to comply with response plan requirements;

(4) a determination regarding whether asset and equipment mobilization time requirements under approved vessel response plans can be met by the vessels to which they apply; and

(5) recommendations for improving the processes identified under paragraph (1), including recommendations regarding the sufficiency of Coast Guard resources dedicated to those processes.

SEC. 825. WATERS DEEMED NOT NAVIGABLE WATERS OF THE UNITED STATES FOR CERTAIN PURPOSES.

For purposes of the application of subtitle II of title 46, United States Code, to the Volunteer (Hull Number CCA4108), the Illinois and Michigan Canal is deemed to not be navigable waters of the United States.

SEC. 826. DOCUMENTATION OF RECREATIONAL VESSELS.

Coast Guard personnel performing nonrecreational vessel documentation functions under subchapter II of chapter 121 of title 46, United States Code, may perform recreational vessel documentation under section 12114 of such title in any fiscal year in which—

(1) funds available for Coast Guard operating expenses may not be used for expenses incurred for recreational vessel documentation;

(2) fees collected from owners of yachts and credited to such use are insufficient to pay expenses of recreational vessel documentation; and

(3) there is a backlog of applications for recreational vessel documentation.

SEC. 827. EQUIPMENT REQUIREMENTS; EXEMPTION FROM THROWABLE PERSONAL FLOTATION DEVICES REQUIREMENT.

Not later than one year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall—

(1) prescribe regulations in part 160 of title 46, Code of Federal Regulations, that treat a marine throw bag, as that term is commonly used in the commercial whitewater rafting industry, as a type of lifesaving equipment; and

(2) revise section 175.17 of title 33, Code of Federal Regulations, to exempt rafts that are 16 feet or more overall in length from the requirement to carry an additional throwable personal flotation device when such a marine throw bag is onboard and accessible.

SEC. 828. VISUAL DISTRESS SIGNALS AND ALTERNATIVE USE.

(a) **IN GENERAL.**—The Secretary of the department in which the Coast Guard is operating shall develop a performance standard for the alternative use and possession of visual distress alerting and locating signals as mandated by carriage requirements for recreational boats in subpart C of part 175 of title 33, Code of Federal Regulations.

(b) **REGULATIONS.**—Not later than 180 days after the performance standard for alternative use and possession of visual distress alerting and locating signals is finalized, the Secretary shall revise part 175 of title 33, Code of Federal Regulations, to allow for carriage of such alternative signal devices.

SEC. 829. RADAR REFRESHER TRAINING.

Not later than 60 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall prescribe a final rule eliminating the requirement that a mariner actively using the mariner's credential complete an approved refresher or recertification course to maintain a radar observer endorsement. This rulemaking shall be exempt from chapters 5 and 6 of title 5, United States Code, and Executive Orders 12866 and 13563.

SEC. 830. COMMERCIAL FISHING VESSEL SAFETY NATIONAL COMMUNICATIONS PLAN.

(a) **REQUIREMENT FOR PLAN.**—Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall develop and 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 national communications plan for the purposes of—

(1) disseminating information to the commercial fishing vessel industry;

(2) conducting outreach with the commercial fishing vessel industry;

(3) facilitating interaction with the commercial fishing vessel industry; and

(4) releasing information collected under section 15102 of title 46, United States Code, as added by this Act, to the commercial fishing vessel industry.

(b) **CONTENT.**—The plan required by subsection (a), and each annual update, shall—

(1) identify staff, resources, and systems available to the Secretary to ensure the widest dissemination of information to the commercial fishing vessel industry;

(2) include a means to document all communication and outreach conducted with the commercial fishing vessel industry; and

(3) include a mechanism to measure effectiveness of such plan.

(c) **IMPLEMENTATION.**—Not later than one year after submission of the initial plan, the Secretary of the department in which the Coast Guard is operating shall implement the plan and shall at a minimum—

(1) leverage Coast Guard staff, resources, and systems available;

(2) monitor implementation nationwide to ensure adherence to plan contents;

(3) allow each Captain of the Port to adopt the most effective strategy and means to communicate with commercial fishing vessel industry in that Captain of the Port Zone;

(4) document communication and outreach; and

(5) solicit feedback from the commercial fishing vessel industry.

(d) **REPORT AND UPDATES.**—The Secretary of the department in which the Coast Guard is operating shall—

(1) 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 effectiveness of the plan to date and any updates to ensure maximum impact of the plan one year after the date of enactment of this Act, and every 4 years thereafter; and

(2) include in such report input from individual Captains of the Port and any feedback received from the commercial fishing vessel industry.

SEC. 831. ATLANTIC COAST PORT ACCESS ROUTE STUDY RECOMMENDATIONS.

Not later than 30 days after the date of the enactment of the Act, the Commandant of the Coast Guard shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of action taken to carry out the recommendations contained in the final report issued by the Atlantic Coast Port Access Route Study (ACPARS) workgroup for which notice of availability was published March 14, 2016 (81 Fed. Reg. 13307).

SEC. 832. DRAWBRIDGES.

Section 5 of the Act entitled “An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes”, approved August 18, 1894 (33 U.S.C. 499), is amended by adding at the end the following:

“(d) **TEMPORARY CHANGES TO DRAWBRIDGE OPERATING SCHEDULES.**—Notwithstanding section 553 of title 5, United States Code, whenever a temporary change to the operating schedule of a drawbridge, lasting 180 days or less—

“(1) is approved—

“(A) the Secretary of the department in which the Coast Guard is operating shall—

“(i) issue a deviation approval letter to the bridge owner; and

“(ii) announce the temporary change in—

“(I) the Local Notice to Mariners;

“(II) a broadcast notice to mariners and through radio stations; or

“(III) such other local media as the Secretary considers appropriate; and

“(B) the bridge owner, except a railroad bridge owner, shall notify—

“(i) the public by publishing notice of the temporary change in a newspaper of general circulation published in the place where the bridge is located;

“(ii) the department, agency, or office of transportation with jurisdiction over the roadway that abuts the approaches to the bridge; and

“(iii) the law enforcement organization with jurisdiction over the roadway that abuts the approaches to the bridge; or

“(2) is denied, the Secretary of the department in which the Coast Guard is operating shall—

“(A) not later than 10 days after the date of receipt of the request, provide the bridge owner in writing the reasons for the denial, including any supporting data and evidence used to make the determination; and

“(B) provide the bridge owner a reasonable opportunity to address each reason for the denial and resubmit the request.

“(e) **DRAWBRIDGE MOVEMENTS.**—The Secretary of the department in which the Coast Guard is operating—

“(1) shall require a drawbridge operator to record each movement of the drawbridge in a logbook;

“(2) may inspect the logbook to ensure drawbridge movement is in accordance with the posted operating schedule;

“(3) shall review whether deviations from the posted operating schedule are impairing vehicular and pedestrian traffic; and

“(4) may determine if the operating schedule should be adjusted for efficiency of maritime or vehicular and pedestrian traffic.

“(f) **REQUIREMENTS.**—

“(1) **LOGBOOKS.**—An operator of a drawbridge built across a navigable river or other water of the United States—

“(A) that opens the draw of such bridge for the passage of a vessel, shall record in a logbook—

“(i) the bridge identification and date of each opening;

“(ii) the bridge tender or operator for each opening;

“(iii) each time it is opened for navigation;

“(iv) each time it is closed for navigation;

“(v) the number and direction of vessels passing through during each opening;

“(vi) the types of vessels passing through during each opening;

“(vii) an estimated or known size (height, length, and beam) of the largest vessel passing through during each opening;

“(viii) for each vessel, the vessel name and registration number if easily observable; and

“(ix) all maintenance openings, malfunctions, or other comments; and

“(B) that remains open to navigation but closes to allow for trains to cross, shall record in a logbook—

“(i) the bridge identification and date of each opening and closing;

“(ii) the bridge tender or operator;

“(iii) each time it is opened to navigation;

“(iv) each time it is closed to navigation; and

“(v) all maintenance openings, closings, malfunctions, or other comments.

“(2) **MAINTENANCE OF LOGBOOKS.**—A drawbridge operator shall maintain logbooks required under paragraph (1) for not less than 5 years.

“(3) **SUBMISSION OF LOGBOOKS.**—At the request of the Secretary of the department in which the Coast Guard is operating, a drawbridge operator shall submit to the Secretary the logbook required under paragraph (1) as the

Secretary considers necessary to carry out this section.

“(4) **EXEMPTION.**—The requirements under paragraph (1) shall be exempt from sections 3501 to 3521 of title 44, United States Code.”.

SEC. 833. WAIVER.

Section 8902 of title 46, United States Code, shall not apply to the chain ferry *DIANE* (United States official number CG002692) when such vessel is operating on the Kalamazoo River in Saugatuck, Michigan.

SEC. 834. FIRE-RETARDANT MATERIALS.

Section 3503 of title 46, United States Code, is amended to read as follows:

“§3503. Fire-retardant materials

“(a)(1) A passenger vessel of the United States having berth or stateroom accommodations for at least 50 passengers shall be granted a certificate of inspection only if—

“(A) the vessel is constructed of fire-retardant materials; and

“(B) the vessel—

“(i) is operating engines, boilers, main electrical distribution panels, fuel tanks, oil tanks, and generators that meet current Coast Guard regulations; and

“(ii) is operating boilers and main electrical generators that are contained within non-combustible enclosures equipped with fire suppression systems.

“(2) Before December 1, 2028, this subsection does not apply to any vessel in operation before January 1, 1968, and operating only within the Boundary Line.

“(b)(1) The owner or managing operator of an exempted vessel described in subsection (a)(2) shall—

“(A) notify in writing prospective passengers, prior to purchase, and each crew member that the vessel does not comply with applicable fire safety standards due primarily to the wooden construction of passenger berthing areas;

“(B) display in clearly legible font prominently throughout the vessel, including in each state room the following: ‘THIS VESSEL FAILS TO COMPLY WITH SAFETY RULES AND REGULATIONS OF THE U.S. COAST GUARD.’;

“(C) acquire prior to the vessel entering service, and maintain, liability insurance in an amount to be prescribed by the Federal Maritime Commission;

“(D) make annual structural alteration to not less than 10 percent of the areas of the vessel that are not constructed of fire retardant materials;

“(E) prioritize alterations in galleys, engineering areas of the vessel, including all spaces and compartments containing, or adjacent to spaces and compartments containing, engines, boilers, main electrical distribution panels, fuel tanks, oil tanks, and generators;

“(F) ensure, to the satisfaction of the Secretary, that the combustible fire-load has been reduced pursuant to subparagraph (D) during each annual inspection for certification;

“(G) ensure the vessel has multiple forms of egress off the vessel’s bow and stern;

“(H) provide advance notice to the Coast Guard regarding the structural alterations made pursuant to subparagraph (D) and comply with any noncombustible material requirements prescribed by the Coast Guard;

“(I) annually notify all ports of call and State emergency management offices of jurisdiction that the vessel does not comply with the requirement under subsection (a)(1);

“(J) provide crewmembers manning such vessel shipboard training that—

“(i) is specialized for exempted vessels;

“(ii) exceeds requirements related to standards for firefighting training under chapter I of title 46, Code of Federal Regulations, as in effect on October 1, 2017; and

“(iii) is approved by the Coast Guard; and

“(K) to the extent practicable, take all steps to retain previously trained crew knowledgeable of

such vessel or to hire crew trained in operations aboard exempted vessels.

“(2) The owner or managing operator of an exempted vessel described in subsection (a)(2) may not disclaim liability to a passenger or crew member of such vessel for death, injury, or any other loss caused by fire due to the negligence of the owner or managing operator.

“(3) The Secretary shall—

“(A) conduct an annual audit and inspection of each exempted vessel described in subsection (a)(2);

“(B) in implementing subparagraph (b)(1)(F), consider, to the extent practicable, the goal of preservation of the historic integrity of such vessel in areas carrying or accessible to passengers or generally visible to the public; and

“(C) prescribe regulations to carry out this section, including to prescribe the manner in which prospective passengers are to be notified under paragraph (1)(A).

“(4) The penalties provided in section 3504(c) of this title shall apply to a violation of this subsection.

“(c) In addition to otherwise applicable penalties, the Secretary may immediately withdraw a certificate of inspection for an exempted vessel described in subsection (a)(2) that does not comply with any requirement under subsection (b).”.

SEC. 835. VESSEL WAIVER.

(a) **IN GENERAL.**—Upon the date of enactment of this Act and notwithstanding sections 12112(a)(2)(A) and 12113(a)(2) of title 46, United States Code, the Secretary shall issue a certificate of documentation with coastwise and fishery endorsements to the certificated vessel.

(b) **REPLACEMENT VESSEL.**—The certificated vessel shall qualify as a replacement vessel for the vessel “AMERICA NO.1” (United States official number 610654) and not be precluded from operating as an Amendment 80 replacement vessel under the provisions of part 679 of title 50, Code of Federal Regulations.

(c) **COAST GUARD REVIEW AND DETERMINATION.**—

(1) **REVIEW.**—Not later than 30 days after the date of enactment of this Act, the Secretary shall conduct a review of the use of certain foreign fabricated steel components in the hull or superstructure of the certificated vessel.

(2) **DETERMINATION.**—Based on the review conducted under paragraph (1), the Secretary shall determine whether the shipyard that constructed the certificated vessel or the purchaser of the certificated vessel knew before such components were procured or installed that the use of such components would violate requirements under sections 12112(a)(2)(A) and 12113(a)(2) of title 46, United States Code.

(3) **REVOCATION.**—If the Secretary determines under paragraph (2) that the shipyard that constructed the certificated vessel or the purchaser of the certificated vessel knew before such components were procured or installed that the use of such components would violate requirements under sections 12112(a)(2)(A) and 12113(a)(2) of title 46, United States Code, the Secretary shall immediately revoke the certificate of documentation issued under subsection (a).

(4) **USE OF DOCUMENTS.**—In conducting the review required under paragraph (1), the Secretary may request and review any information, correspondence, or documents related to the construction of the certificated vessel, including from the shipyard that constructed the certificated vessel and the purchaser of the certificated vessel.

(d) **TERMINATION.**—If the contract for purchase of the certificated vessel that is in effect on the date of enactment of this Act is terminated, the purchasing party to that contract shall be prohibited from entering into a subsequent contract or agreement for purchase of such vessel.

(e) **DEFINITIONS.**—In this section:

(1) **CERTIFICATED VESSEL.**—The term “certificated vessel” means the vessel *America’s Finest* (United States official number 1276760).

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the department in which the Coast Guard is operating, acting through the Commandant of the Coast Guard.

SEC. 836. TEMPORARY LIMITATIONS.

(a) **LIMITATIONS.**—

(1) **IN GENERAL.**—Upon the Coast Guard issuing a certificate of documentation with coastwise and fishery endorsements for the vessel “AMERICA’S FINEST” (United States official number 1276760) and during any period such certificate is in effect, and subject to subsection (b), the total amount of groundfish harvested with respect to subparagraph (A) or the total amount of deliveries processed from other vessels with respect to subparagraph (B) by the vessels described in paragraph (2) shall not collectively exceed—

(A) the percentage of the harvest available in any Gulf of Alaska groundfish fisheries (other than fisheries subject to a limited access privilege program created by the North Pacific Fishery Management Council) that is equivalent to the total harvest by the vessels described in paragraph (2) in those fisheries in the calendar years that a vessel described in paragraph (2) had harvest from 2012 through 2017 relative to the total allowable catch available to such vessels in the calendar years 2012 through 2017; or

(B) the percentage of processing of deliveries from other vessels in any Bering Sea, Aleutian Islands, and Gulf of Alaska groundfish fisheries (including fisheries subject to a limited access privilege program created by the North Pacific Fishery Management Council, or community development quotas as described in section 305(i) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1855(i))) that is equivalent to the total processing of such deliveries by the vessels described in paragraph (2) in those fisheries in the calendar years 2012 through 2017 relative to the total allowable catch available in the calendar years 2012 through 2017.

(2) **APPLICABLE VESSELS.**—The limitations described in paragraph (1) shall apply, in the aggregate, to—

(A) the vessel AMERICA’S FINEST (United States official number 1276760);

(B) the vessel US INTREPID (United States official number 604439);

(C) the vessel AMERICAN NO. 1 (United States official number 610654);

(D) any replacement of a vessel described in subparagraph (A), (B), or (C); and

(E) any vessel assigned license number LLG3217 under the license limitation program under part 679 of title 50, Code of Federal Regulations.

(b) **EXPIRATION.**—The limitations described in subsection (a) shall apply to a groundfish species in Bering Sea, Aleutian Islands, and Gulf of Alaska only until the earlier of—

(1) the end of the 6-year period beginning on the date of enactment of this Act; or

(2) the date on which the Secretary of Commerce issues a final rule, based on recommendations developed by the North Pacific Fishery Management Council consistent with the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), that limits processing deliveries of that groundfish species from other vessels in any Bering Sea, Aleutian Islands, and Gulf of Alaska groundfish fisheries that are not subject to conservation and management measures under section 206 of the American Fisheries Act (16 U.S.C. 1851 note).

(c) **EXISTING AUTHORITY.**—Except for the measures required by this section, nothing in this title shall be construed to limit the authority of the North Pacific Fishery Management Council or the Secretary of Commerce under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

SEC. 837. TRANSFER OF COAST GUARD PROPERTY IN JUPITER ISLAND, FLORIDA, FOR INCLUSION IN HOBE SOUND NATIONAL WILDLIFE REFUGE.

(a) **TRANSFER.**—Administrative jurisdiction over the property described in subsection (b) is transferred to the Secretary of the Interior.

(b) **PROPERTY DESCRIBED.**—The property described in this subsection is real property administered by the Coast Guard in the Town of Jupiter Island, Florida, comprising Parcel #35-38-42-004-000-02590-6 (Bon Air Beach lots 259 and 260 located at 83 North Beach Road) and Parcel #35-38-42-004-000-02610-2 (Bon Air Beach lots 261 to 267), including any improvements thereon that are not authorized or required by another provision of law to be conveyed to another person.

(c) **ADMINISTRATION.**—The property described in subsection (b) is included in Hobe Sound National Wildlife Refuge, and shall be administered by the Secretary of the Interior acting through the United States Fish and Wildlife Service.

SEC. 838. EMERGENCY RESPONSE.

Not later than 90 days after the date of enactment of this Act, the Commandant of the Coast Guard shall request the National Offshore Safety Advisory Committee to examine whether there are unnecessary regulatory barriers to the use of small passenger vessels, crewboats, and offshore supply vessels in disaster response and provide recommendations, as appropriate, to reduce such barriers.

SEC. 839. DRAWBRIDGES CONSULTATION.

(a) **CONSULTATION.**—In addition and subsequent to any rulemaking conducted under section 117.8 of title 33, Code of Federal Regulations, related to permanent changes to drawbridge openings that result from Amtrak service between New Orleans, Louisiana and Orlando, Florida, the Commandant shall consult with owners or operators of rail lines used for Amtrak passenger service between New Orleans, Louisiana and Orlando, Florida and affected waterway users on changes to drawbridge operating schedules necessary to facilitate the On Time Performance of passenger trains. These changes to schedules shall not impact Coast Guard response times to operational missions.

(b) **TIMING.**—Consultation in subsection (a) shall occur after commencement of Amtrak passenger service on the rail lines between New Orleans, Louisiana and Orlando, Florida at the following intervals:

(1) Not less than 3 months following the commencement of Amtrak passenger service.

(2) Not less than 6 months following the commencement of Amtrak passenger service.

(c) **REPORT.**—If after conducting the consultations required by subsection (b)(2), the Commandant finds that permanent changes to drawbridge operations are necessary to mitigate delays in the movement of trains described in subsection (a) and that those changes do not unreasonably obstruct the navigability of the affected waterways, then the Commandant shall submit those findings to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

TITLE IX—VESSEL INCIDENTAL DISCHARGE ACT

SEC. 901. SHORT TITLE.

This title may be cited as the “Vessel Incidental Discharge Act of 2018”.

SEC. 902. PURPOSES; FINDINGS.

(a) **PURPOSES.**—The purposes of this title are—

(1) to provide for the establishment of uniform, environmentally sound standards and requirements for the management of discharges incidental to the normal operation of a vessel;

(2) to charge the Environmental Protection Agency with primary responsibility for establishing standards relating to the discharge of pollutants from vessels;

(3) to charge the Coast Guard with primary responsibility for prescribing, administering, and enforcing regulations, consistent with the discharge standards established by the Environmental Protection Agency, for the design, construction, installation, and operation of the equipment and management practices required onboard vessels; and

(4) to preserve the flexibility of States, political subdivisions, and certain regions with respect to the administration and enforcement of standards relating to the discharge of pollutants from vessels engaged in maritime commerce and transportation.

(b) **FINDINGS.**—Congress finds that—

(1) the Environmental Protection Agency is the principal Federal authority charged under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) with regulating through the issuance of permits for the discharge of pollutants into the navigable waters of the United States;

(2) the Coast Guard is the principal Federal authority charged with administering, enforcing, and prescribing regulations relating to the discharge of pollutants from vessels; and

(3) during the period of 1973 to 2010—

(A) the Environmental Protection Agency promulgated regulations exempting certain discharges incidental to the normal operation of vessels from otherwise applicable permitting requirements of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(B) Congress enacted laws on numerous occasions governing the regulation of discharges incidental to the normal operation of vessels, including—

(i) the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.);

(ii) the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.);

(iii) the National Invasive Species Act of 1996 (16 U.S.C. 4701 note; Public Law 104–332);

(iv) section 415 of the Coast Guard Authorization Act of 1998 (Public Law 105–383; 112 Stat. 3434) and section 623 of the Coast Guard and Maritime Transportation Act of 2004 (33 U.S.C. 1901 note; Public Law 108–293), which established interim and permanent requirements, respectively, for the regulation of vessel discharges of certain bulk cargo residue;

(v) title XIV of division B of Appendix D of the Consolidated Appropriations Act, 2001 (Public Law 106–554; 114 Stat. 2763A–315), which prohibited or limited certain vessel discharges in certain areas of Alaska;

(vi) section 204 of the Maritime Transportation Security Act of 2002 (33 U.S.C. 1902a), which established requirements for the regulation of vessel discharges of agricultural cargo residue material in the form of hold washings; and

(vii) title X of the Coast Guard Authorization Act of 2010 (33 U.S.C. 3801 et seq.), which provided for the implementation of the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001.

SEC. 903. STANDARDS FOR DISCHARGES INCIDENTAL TO NORMAL OPERATION OF VESSELS.

(a) **UNIFORM NATIONAL STANDARDS.**—

(1) **IN GENERAL.**—Section 312 of the Federal Water Pollution Control Act (33 U.S.C. 1322) is amended by adding at the end the following:

“(p) UNIFORM NATIONAL STANDARDS FOR DISCHARGES INCIDENTAL TO NORMAL OPERATION OF VESSELS.—

“(1) **DEFINITIONS.**—In this subsection:

“(A) **AQUATIC NUISANCE SPECIES.**—The term ‘aquatic nuisance species’ means a nonindigenous species that threatens—

“(i) the diversity or abundance of a native species;

“(ii) the ecological stability of—

“(I) waters of the United States; or

“(II) waters of the contiguous zone; or

“(iii) a commercial, agricultural, aquacultural, or recreational activity that is dependent on—

“(I) waters of the United States; or
 “(II) waters of the contiguous zone.
 “(B) BALLAST WATER.—
 “(i) IN GENERAL.—The term ‘ballast water’ means any water, suspended matter, and other materials taken onboard a vessel—
 “(I) to control or maintain trim, draught, stability, or stresses of the vessel, regardless of the means by which any such water or suspended matter is carried; or
 “(II) during the cleaning, maintenance, or other operation of a ballast tank or ballast water management system of the vessel.
 “(ii) EXCLUSION.—The term ‘ballast water’ does not include any substance that is added to the water described in clause (i) that is directly related to the operation of a properly functioning ballast water management system.
 “(C) BALLAST WATER DISCHARGE STANDARD.—The term ‘ballast water discharge standard’ means—
 “(i) the numerical ballast water discharge standard established by section 151.1511 or 151.2030 of title 33, Code of Federal Regulations (or successor regulations); or
 “(ii) if a standard referred to in clause (i) is superseded by a numerical standard of performance under this subsection, that superseding standard.
 “(D) BALLAST WATER EXCHANGE.—The term ‘ballast water exchange’ means the replacement of water in a ballast water tank using 1 of the following methods:
 “(i) Flow-through exchange, in which ballast water is flushed out by pumping in midocean water at the bottom of the tank if practicable, and continuously overflowing the tank from the top, until 3 full volumes of water have been changed to minimize the number of original organisms remaining in the tank.
 “(ii) Empty and refill exchange, in which ballast water taken on in ports, estuarine waters, or territorial waters is pumped out until the pump loses suction, after which the ballast tank is refilled with midocean water.
 “(E) BALLAST WATER MANAGEMENT SYSTEM.—The term ‘ballast water management system’ means any marine pollution control device (including all ballast water treatment equipment, ballast tanks, pipes, pumps, and all associated control and monitoring equipment) that processes ballast water—
 “(i) to kill, render nonviable, or remove organisms; or
 “(ii) to avoid the uptake or discharge of organisms.
 “(F) BEST AVAILABLE TECHNOLOGY ECONOMICALLY ACHIEVABLE.—The term ‘best available technology economically achievable’ means—
 “(i) best available technology economically achievable (within the meaning of section 301(b)(2)(A));
 “(ii) best available technology (within the meaning of section 304(b)(2)(B)); and
 “(iii) best available technology, as determined in accordance with section 125.3(d)(3) of title 40, Code of Federal Regulations (or successor regulations).
 “(G) BEST CONVENTIONAL POLLUTANT CONTROL TECHNOLOGY.—The term ‘best conventional pollutant control technology’ means—
 “(i) best conventional pollutant control technology (within the meaning of section 301(b)(2)(E));
 “(ii) best conventional pollutant control technology (within the meaning of section 304(b)(4)); and
 “(iii) best conventional pollutant control technology, as determined in accordance with section 125.3(d)(2) of title 40, Code of Federal Regulations (or successor regulations).
 “(H) BEST MANAGEMENT PRACTICE.—
 “(i) IN GENERAL.—The term ‘best management practice’ means a schedule of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of—
 “(I) the waters of the United States; or

“(II) the waters of the contiguous zone.
 “(ii) INCLUSIONS.—The term ‘best management practice’ includes any treatment requirement, operating procedure, or practice to control—
 “(I) vessel runoff;
 “(II) spillage or leaks;
 “(III) sludge or waste disposal; or
 “(IV) drainage from raw material storage.
 “(I) BEST PRACTICABLE CONTROL TECHNOLOGY CURRENTLY AVAILABLE.—The term ‘best practicable control technology currently available’ means—
 “(i) best practicable control technology currently available (within the meaning of section 301(b)(1)(A));
 “(ii) best practicable control technology currently available (within the meaning of section 304(b)(1)); and
 “(iii) best practicable control technology currently available, as determined in accordance with section 125.3(d)(1) of title 40, Code of Federal Regulations (or successor regulations).
 “(J) CAPTAIN OF THE PORT ZONE.—The term ‘Captain of the Port Zone’ means a Captain of the Port Zone established by the Secretary pursuant to sections 92, 93, and 633 of title 14, United States Code.
 “(K) EMPTY BALLAST TANK.—The term ‘empty ballast tank’ means a tank that—
 “(i) has previously held ballast water that has been drained to the limit of the functional or operational capabilities of the tank (such as loss of suction);
 “(ii) is recorded as empty on a vessel log; and
 “(iii) contains un pumpable residual ballast water and sediment.
 “(L) GREAT LAKES COMMISSION.—The term ‘Great Lakes Commission’ means the Great Lakes Commission established by article IV A of the Great Lakes Compact to which Congress granted consent in the Act of July 24, 1968 (Public Law 90-419; 82 Stat. 414).
 “(M) GREAT LAKES STATE.—The term ‘Great Lakes State’ means any of the States of—
 “(i) Illinois;
 “(ii) Indiana;
 “(iii) Michigan;
 “(iv) Minnesota;
 “(v) New York;
 “(vi) Ohio;
 “(vii) Pennsylvania; and
 “(viii) Wisconsin.
 “(N) GREAT LAKES SYSTEM.—The term ‘Great Lakes System’ has the meaning given the term in section 118(a)(3).
 “(O) INTERNAL WATERS.—The term ‘internal waters’ has the meaning given the term in section 2.24 of title 33, Code of Federal Regulations (or a successor regulation).
 “(P) MARINE POLLUTION CONTROL DEVICE.—The term ‘marine pollution control device’ means any equipment or management practice (or combination of equipment and a management practice), for installation or use onboard a vessel, that is—
 “(i) designed to receive, retain, treat, control, or discharge a discharge incidental to the normal operation of a vessel; and
 “(ii) determined by the Administrator and the Secretary to be the most effective equipment or management practice (or combination of equipment and a management practice) to reduce the environmental impacts of the discharge, consistent with the factors for consideration described in paragraphs (4) and (5).
 “(Q) NONINDIGENOUS SPECIES.—The term ‘nonindigenous species’ means an organism of a species that enters an ecosystem beyond the historic range of the species.
 “(R) ORGANISM.—The term ‘organism’ includes—
 “(i) an animal, including fish and fish eggs and larvae;
 “(ii) a plant;
 “(iii) a pathogen;
 “(iv) a microbe;
 “(v) a virus;
 “(vi) a prokaryote (including any archean or bacterium);

“(vii) a fungus; and
 “(viii) a protist.
 “(S) PACIFIC REGION.—
 “(i) IN GENERAL.—The term ‘Pacific Region’ means any Federal or State water—
 “(I) adjacent to the State of Alaska, California, Hawaii, Oregon, or Washington; and
 “(II) extending from shore.
 “(ii) INCLUSION.—The term ‘Pacific Region’ includes the entire exclusive economic zone (as defined in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701)) adjacent to each State described in clause (i)(I).
 “(T) PORT OR PLACE OF DESTINATION.—The term ‘port or place of destination’ means a port or place to which a vessel is bound to anchor or moor.
 “(U) RENDER NONVIALE.—The term ‘render nonviable’, with respect to an organism in ballast water, means the action of a ballast water management system that renders the organism permanently incapable of reproduction following treatment.
 “(V) SALTWATER FLUSH.—
 “(i) IN GENERAL.—The term ‘saltwater flush’ means—
 “(I)(aa) the addition of as much midocean water into each empty ballast tank of a vessel as is safe for the vessel and crew; and
 “(bb) the mixing of the flushwater with residual ballast water and sediment through the motion of the vessel; and
 “(II) the discharge of that mixed water, such that the resultant residual water remaining in the tank—
 “(aa) has the highest salinity possible; and
 “(bb) is at least 30 parts per thousand.
 “(ii) MULTIPLE SEQUENCES.—For purposes of clause (i), a saltwater flush may require more than 1 fill-mix-empty sequence, particularly if only small quantities of water can be safely taken onboard a vessel at 1 time.
 “(W) SECRETARY.—The term ‘Secretary’ means the Secretary of the department in which the Coast Guard is operating.
 “(X) SMALL VESSEL GENERAL PERMIT.—The term ‘Small Vessel General Permit’ means the permit that is the subject of the notice of final permit issuance entitled ‘Final National Pollutant Discharge Elimination System (NPDES) Small Vessel General Permit for Discharges Incidental to the Normal Operation of Vessels Less Than 79 Feet’ (79 Fed. Reg. 53702 (September 10, 2014)).
 “(Y) SMALL VESSEL OR FISHING VESSEL.—The term ‘small vessel or fishing vessel’ means a vessel that is—
 “(i) less than 79 feet in length; or
 “(ii) a fishing vessel, fish processing vessel, or fish tender vessel (as those terms are defined in section 2101 of title 46, United States Code), regardless of the length of the vessel.
 “(Z) VESSEL GENERAL PERMIT.—The term ‘Vessel General Permit’ means the permit that is the subject of the notice of final permit issuance entitled ‘Final National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges Incidental to the Normal Operation of a Vessel’ (78 Fed. Reg. 21938 (April 12, 2013)).
 “(2) APPLICABILITY.—
 “(A) IN GENERAL.—Except as provided in subparagraph (B), this subsection applies to—
 “(i) any discharge incidental to the normal operation of a vessel; and
 “(ii) any discharge incidental to the normal operation of a vessel (such as most graywater) that is commingled with sewage, subject to the conditions that—
 “(I) nothing in this subsection prevents a State from regulating sewage discharges; and
 “(II) any such commingled discharge shall comply with all applicable requirements of—
 “(aa) this subsection; and
 “(bb) any law applicable to discharges of sewage.
 “(B) EXCLUSION.—This subsection does not apply to any discharge incidental to the normal operation of a vessel—

“(i) from—
“(I) a vessel of the Armed Forces subject to subsection (n);

“(II) a recreational vessel subject to subsection (o);

“(III) a small vessel or fishing vessel, except that this subsection shall apply to any discharge of ballast water from a small vessel or fishing vessel; or

“(IV) a floating craft that is permanently moored to a pier, including a ‘floating’ casino, hotel, restaurant, or bar;

“(ii) of ballast water from a vessel—

“(I) that continuously takes on and discharges ballast water in a flow-through system, if the Administrator determines that system cannot materially contribute to the spread or introduction of an aquatic nuisance species into waters of the United States;

“(II) in the National Defense Reserve Fleet that is scheduled for disposal, if the vessel does not have an operable ballast water management system;

“(III) that discharges ballast water consisting solely of water taken onboard from a public or commercial source that, at the time the water is taken onboard, meets the applicable requirements or permit requirements of the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

“(IV) that carries all permanent ballast water in sealed tanks that are not subject to discharge; or

“(V) that only discharges ballast water into a reception facility; or

“(iii) that results from, or contains material derived from, an activity other than the normal operation of the vessel, such as material resulting from an industrial or manufacturing process onboard the vessel.

“(3) CONTINUATION IN EFFECT OF EXISTING REQUIREMENTS.—

“(A) VESSEL GENERAL PERMIT.—Notwithstanding the expiration date of the Vessel General Permit or any other provision of law, all provisions of the Vessel General Permit shall remain in force and effect, and shall not be modified, until the applicable date described in subparagraph (C).

“(B) NONINDIGENOUS AQUATIC NUISANCE PREVENTION AND CONTROL ACT REGULATIONS.—Notwithstanding section 903(a)(2)(A) of the Vessel Incidental Discharge Act of 2018, all regulations promulgated by the Secretary pursuant to section 1101 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4711) (as in effect on the day before the date of enactment of this subsection), including the regulations contained in subparts C and D of part 151 of title 33, Code of Federal Regulations, and subpart 162.060 of part 162 of title 46, Code of Federal Regulations (as in effect on the day before that date of enactment), shall remain in force and effect until the applicable date described in subparagraph (C).

“(C) REPEAL ON EXISTENCE OF FINAL, EFFECTIVE, AND ENFORCEABLE REQUIREMENTS.—Effective beginning on the date on which the requirements promulgated by the Secretary under subparagraphs (A), (B), and (C) of paragraph (5) with respect to every discharge incidental to the normal operation of a vessel that is subject to regulation under this subsection are final, effective, and enforceable, the requirements of the Vessel General Permit and the regulations described in subparagraph (B) shall have no force or effect.

“(4) NATIONAL STANDARDS OF PERFORMANCE FOR MARINE POLLUTION CONTROL DEVICES AND WATER QUALITY ORDERS.—

“(A) ESTABLISHMENT.—

“(i) IN GENERAL.—Not later than 2 years after the date of enactment of this subsection, the Administrator, in concurrence with the Secretary (subject to clause (ii)), and in consultation with interested Governors (subject to clause (iii)), shall promulgate Federal standards of performance for marine pollution control devices for each type of discharge incidental to the normal

operation of a vessel that is subject to regulation under this subsection.

“(ii) CONCURRENCE WITH SECRETARY.—

“(I) REQUEST.—The Administrator shall submit to the Secretary a request for written concurrence with respect to a proposed standard of performance under clause (i).

“(II) EFFECT OF FAILURE TO CONCUR.—A failure by the Secretary to concur with the Administrator under clause (i) by the date that is 60 days after the date on which the Administrator submits a request for concurrence under subclause (I) shall not prevent the Administrator from promulgating the relevant standard of performance in accordance with the deadline under clause (i), subject to the condition that the Administrator shall include in the administrative record of the promulgation—

“(aa) documentation of the request submitted under subclause (I); and

“(bb) the response of the Administrator to any written objections received from the Secretary relating to the proposed standard of performance during the 60-day period beginning on the date of submission of the request.

“(iii) CONSULTATION WITH GOVERNORS.—

“(I) IN GENERAL.—The Administrator, in promulgating a standard of performance under clause (i), shall develop the standard of performance—

“(aa) in consultation with interested Governors; and

“(bb) in accordance with the deadlines under that clause.

“(II) PROCESS.—The Administrator shall develop a process for soliciting input from interested Governors, including information sharing relevant to such process, to allow interested Governors to inform the development of standards of performance under clause (i).

“(III) OBJECTION BY GOVERNORS.—

“(aa) SUBMISSION.—An interested Governor that objects to a proposed standard of performance under clause (i) may submit to the Administrator in writing a detailed objection to the proposed standard of performance, describing the scientific, technical, or operational factors that form the basis of the objection.

“(bb) RESPONSE.—Before finalizing a standard of performance under clause (i) that is subject to an objection under item (aa) from 1 or more interested Governors, the Administrator shall provide a written response to each interested Governor that submitted an objection under that item that details the scientific, technical, or operational factors that form the basis for that standard of performance.

“(cc) JUDICIAL REVIEW.—A response of the Administrator under item (bb) shall not be subject to judicial review.

“(iv) PROCEDURE.—The Administrator shall promulgate the standards of performance under this subparagraph in accordance with—

“(I) this paragraph; and

“(II) section 553 of title 5, United States Code.

“(B) STRINGENCY.—

“(i) IN GENERAL.—Subject to clause (iii), the standards of performance promulgated under this paragraph shall require—

“(I) with respect to conventional pollutants, toxic pollutants, and nonconventional pollutants (including aquatic nuisance species), the application of the best practicable control technology currently available;

“(II) with respect to conventional pollutants, the application of the best conventional pollutant control technology; and

“(III) with respect to toxic pollutants and nonconventional pollutants (including aquatic nuisance species), the application of the best available technology economically achievable for categories and classes of vessels, which shall result in reasonable progress toward the national goal of eliminating discharges of all pollutants.

“(ii) BEST MANAGEMENT PRACTICES.—The Administrator shall require the use of best management practices to control or abate any discharge

incidental to the normal operation of a vessel if—

“(I) numeric standards of performance are infeasible under clause (i); or

“(II) the best management practices are reasonably necessary—

“(aa) to achieve the standards of performance; or

“(bb) to carry out the purpose and intent of this subsection.

“(iii) MINIMUM REQUIREMENTS.—Subject to subparagraph (D)(ii)(II), the combination of any equipment or best management practice comprising a marine pollution control device shall not be less stringent than the following provisions of the Vessel General Permit:

“(I) All requirements contained in parts 2.1 and 2.2 (relating to effluent limits and related requirements), including with respect to waters subject to Federal protection, in whole or in part, for conservation purposes.

“(II) All requirements contained in part 5 (relating to vessel class-specific requirements) that concern effluent limits and authorized discharges (within the meaning of that part), including with respect to waters subject to Federal protection, in whole or in part, for conservation purposes.

“(C) CLASSES, TYPES, AND SIZES OF VESSELS.—The standards promulgated under this paragraph may distinguish—

“(i) among classes, types, and sizes of vessels; and

“(ii) between new vessels and existing vessels.

“(D) REVIEW AND REVISION.—

“(i) IN GENERAL.—Not less frequently than once every 5 years, the Administrator, in consultation with the Secretary, shall—

“(I) review the standards of performance in effect under this paragraph; and

“(II) if appropriate, revise those standards of performance—

“(aa) in accordance with subparagraphs (A) through (C); and

“(bb) as necessary to establish requirements for any discharge that is subject to regulation under this subsection.

“(ii) MAINTAINING PROTECTIVENESS.—

“(I) IN GENERAL.—Except as provided in subclause (II), the Administrator shall not revise a standard of performance under this subsection to be less stringent than an applicable existing requirement.

“(II) EXCEPTIONS.—The Administrator may revise a standard of performance to be less stringent than an applicable existing requirement—

“(aa) if information becomes available that—
“(AA) was not reasonably available when the Administrator promulgated the initial standard of performance or comparable requirement of the Vessel General Permit, as applicable (including the subsequent scarcity or unavailability of materials used to control the relevant discharge); and

“(BB) would have justified the application of a less-stringent standard of performance at the time of promulgation; or

“(bb) if the Administrator determines that a material technical mistake or misinterpretation of law occurred when promulgating the existing standard of performance or comparable requirement of the Vessel General Permit, as applicable.

“(E) BEST MANAGEMENT PRACTICES FOR AQUATIC NUISANCE SPECIES EMERGENCIES AND FURTHER PROTECTION OF WATER QUALITY.—

“(i) IN GENERAL.—Notwithstanding any other provision of this subsection, the Administrator, in concurrence with the Secretary (subject to clause (ii)), and in consultation with States, may require, by order, the use of an emergency best management practice for any region or category of vessels in any case in which the Administrator determines that such a best management practice—

“(I) is necessary to reduce the reasonably foreseeable risk of introduction or establishment of an aquatic nuisance species; or

“(II) will mitigate the adverse effects of a discharge that contributes to a violation of a water quality requirement under section 303, other than a requirement based on the presence of an aquatic nuisance species.

“(ii) CONCURRENCE WITH SECRETARY.—

“(I) REQUEST.—The Administrator shall submit to the Secretary a request for written concurrence with respect to an order under clause (i).

“(II) EFFECT OF FAILURE TO CONCUR.—A failure by the Secretary to concur with the Administrator under clause (i) by the date that is 60 days after the date on which the Administrator submits a request for concurrence under subclause (I) shall not prevent the Administrator from issuing the relevant order, subject to the condition that the Administrator shall include in the administrative record of the issuance—

“(aa) documentation of the request submitted under subclause (I); and

“(bb) the response of the Administrator to any written objections received from the Secretary relating to the proposed order during the 60-day period beginning on the date of submission of the request.

“(iii) DURATION.—An order issued by the Administrator under clause (i) shall expire not later than the date that is 4 years after the date of issuance.

“(iv) EXTENSIONS.—The Administrator may reissue an order under clause (i) for such subsequent periods of not longer than 4 years as the Administrator determines to be appropriate.

“(5) IMPLEMENTATION, COMPLIANCE, AND ENFORCEMENT REQUIREMENTS.—

“(A) ESTABLISHMENT.—

“(i) IN GENERAL.—As soon as practicable, but not later than 2 years, after the date on which the Administrator promulgates any new or revised standard of performance under paragraph (4) with respect to a discharge, the Secretary, in consultation with States, shall promulgate the regulations required under this paragraph with respect to that discharge.

“(ii) MINIMUM REQUIREMENTS.—Subject to subparagraph (C)(ii)(II), the regulations promulgated under this paragraph shall not be less stringent with respect to ensuring, monitoring, and enforcing compliance than—

“(I) the requirements contained in part 3 of the Vessel General Permit (relating to corrective actions);

“(II) the requirements contained in part 4 of the Vessel General Permit (relating to inspections, monitoring, reporting, and record-keeping), including with respect to waters subject to Federal protection, in whole or in part, for conservation purposes;

“(III) the requirements contained in part 5 of the Vessel General Permit (relating to vessel class-specific requirements) regarding monitoring, inspection, and educational and training requirements (within the meaning of that part), including with respect to waters subject to Federal protection, in whole or in part, for conservation purposes; and

“(IV) any comparable, existing requirements promulgated under the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.) (including section 1101 of that Act (16 U.S.C. 4711) (as in effect on the day before the date of enactment of this subsection)) applicable to that discharge.

“(iii) COORDINATION WITH STATES.—The Secretary, in coordination with the Governors of the States, shall develop, publish, and periodically update inspection, monitoring, data management, and enforcement procedures for the enforcement by States of Federal standards and requirements under this subsection.

“(iv) EFFECTIVE DATE.—In determining the effective date of a regulation promulgated under this paragraph, the Secretary shall take into consideration the period of time necessary—

“(I) to communicate to affected persons the applicability of the regulation; and

“(II) for affected persons reasonably to comply with the regulation.

“(v) PROCEDURE.—The Secretary shall promulgate the regulations under this subparagraph in accordance with—

“(I) this paragraph; and

“(II) section 553 of title 5, United States Code.

“(B) IMPLEMENTATION REGULATIONS FOR MARINE POLLUTION CONTROL DEVICES.—The Secretary shall promulgate such regulations governing the design, construction, testing, approval, installation, and use of marine pollution control devices as are necessary to ensure compliance with the standards of performance promulgated under paragraph (4).

“(C) COMPLIANCE ASSURANCE.—

“(i) IN GENERAL.—The Secretary shall promulgate requirements (including requirements for vessel owners and operators with respect to inspections, monitoring, reporting, sampling, and recordkeeping) to ensure, monitor, and enforce compliance with—

“(I) the standards of performance promulgated by the Administrator under paragraph (4); and

“(II) the implementation regulations promulgated by the Secretary under subparagraph (B).

“(ii) MAINTAINING PROTECTIVENESS.—

“(I) IN GENERAL.—Except as provided in subclause (II), the Secretary shall not revise a requirement under this subparagraph or subparagraph (B) to be less stringent with respect to ensuring, monitoring, or enforcing compliance than an applicable existing requirement.

“(II) EXCEPTIONS.—The Secretary may revise a requirement under this subparagraph or subparagraph (B) to be less stringent than an applicable existing requirement—

“(aa) in accordance with this subparagraph or subparagraph (B), as applicable;

“(bb) if information becomes available that—

“(AA) the Administrator determines was not reasonably available when the Administrator promulgated the existing requirement of the Vessel General Permit, or that the Secretary determines was not reasonably available when the Secretary promulgated the existing requirement under the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.) or the applicable existing requirement under this subparagraph, as applicable (including subsequent scarcity or unavailability of materials used to control the relevant discharge); and

“(BB) would have justified the application of a less-stringent requirement at the time of promulgation; or

“(cc) if the Administrator determines that a material technical mistake or misinterpretation of law occurred when promulgating an existing requirement of the Vessel General Permit, or if the Secretary determines that a material mistake or misinterpretation of law occurred when promulgating an existing requirement under the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.) or this subsection.

“(D) DATA AVAILABILITY.—Beginning not later than 1 year after the date of enactment of this subsection, the Secretary shall provide to the Governor of a State, on request by the Governor, access to Automated Identification System arrival data for inbound vessels to specific ports or places of destination in the State.

“(6) ADDITIONAL PROVISIONS REGARDING BALLAST WATER.—

“(A) IN GENERAL.—In addition to the other applicable requirements of this subsection, the requirements of this paragraph shall apply with respect to any discharge incidental to the normal operation of a vessel that is a discharge of ballast water.

“(B) EMPTY BALLAST TANKS.—

“(i) REQUIREMENTS.—Except as provided in clause (ii), the owner or operator of a vessel with empty ballast tanks bound for a port or place of destination subject to the jurisdiction of the United States shall, prior to arriving at that port or place of destination, conduct a ballast water exchange or saltwater flush—

“(I) not less than 200 nautical miles from any shore for a voyage originating outside the United States or Canadian exclusive economic zone; or

“(II) not less than 50 nautical miles from any shore for a voyage originating within the United States or Canadian exclusive economic zone.

“(ii) EXCEPTIONS.—Clause (i) shall not apply—

“(I) if the unpumpable residual waters and sediments of an empty ballast tank were subject to treatment, in compliance with applicable requirements, through a type-approved ballast water management system approved by the Secretary;

“(II) except as otherwise required under this subsection, if the unpumpable residual waters and sediments of an empty ballast tank were sourced within—

“(aa) the same port or place of destination; or

“(bb) contiguous portions of a single Captain of the Port Zone;

“(III) if complying with an applicable requirement of clause (i)—

“(aa) would compromise the safety of the vessel; or

“(bb) is otherwise prohibited by any Federal, Canadian, or international law (including regulations) pertaining to vessel safety;

“(IV) if design limitations of the vessel prevent a ballast water exchange or saltwater flush from being conducted in accordance with clause (i); or

“(V) if the vessel is operating exclusively within the internal waters of the United States or Canada.

“(C) PERIOD OF USE OF INSTALLED BALLAST WATER MANAGEMENT SYSTEMS.—

“(i) IN GENERAL.—Except as provided in clause (ii), a vessel shall be deemed to be in compliance with a standard of performance for a marine pollution control device that is a ballast water management system if the ballast water management system—

“(I) is maintained in proper working condition, as determined by the Secretary;

“(II) is maintained and used in accordance with manufacturer specifications;

“(III) continues to meet the ballast water discharge standard applicable to the vessel at the time of installation, as determined by the Secretary; and

“(IV) has in effect a valid type-approval certificate issued by the Secretary.

“(ii) LIMITATION.—Clause (i) shall cease to apply with respect to any vessel on, as applicable—

“(I) the expiration of the service life, as determined by the Secretary, of—

“(aa) the ballast water management system; or

“(bb) the vessel;

“(II) the completion of a major conversion (as defined in section 2101 of title 46, United States Code) of the vessel; or

“(III) a determination by the Secretary that there are other type-approved systems for the vessel or category of vessels, with respect to the use of which the environmental, health, and economic benefits would exceed the costs.

“(D) REVIEW OF BALLAST WATER MANAGEMENT SYSTEM TYPE-APPROVAL TESTING METHODS.—

“(i) DEFINITION OF LIVE; LIVING.—Notwithstanding any other provision of law (including regulations), for purposes of section 151.1511 of title 33, and part 162 of title 46, Code of Federal Regulations (or successor regulations), the terms ‘live’ and ‘living’ shall not—

“(I) include an organism that has been rendered nonviable; or

“(II) preclude the consideration of any method of measuring the concentration of organisms in ballast water that are capable of reproduction.

“(ii) DRAFT POLICY.—Not later than 180 days after the date of enactment of this subsection, the Secretary, in coordination with the Administrator, shall publish a draft policy letter, based

on the best available science, describing type-approval testing methods and protocols for ballast water management systems, if any, that—

“(I) render nonviable organisms in ballast water; and

“(II) may be used in addition to the methods established under subpart 162.060 of title 46, Code of Federal Regulations (or successor regulations)—

“(aa) to measure the concentration of organisms in ballast water that are capable of reproduction;

“(bb) to certify the performance of each ballast water management system under this subsection; and

“(cc) to certify laboratories to evaluate applicable treatment technologies.

“(iii) PUBLIC COMMENT.—The Secretary shall provide a period of not more than 60 days for public comment regarding the draft policy letter published under clause (ii).

“(iv) FINAL POLICY.—

“(I) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary, in coordination with the Administrator, shall publish a final policy letter describing type-approval testing methods, if any, for ballast water management systems that render nonviable organisms in ballast water.

“(II) METHOD OF EVALUATION.—The ballast water management systems under subclause (I) shall be evaluated by measuring the concentration of organisms in ballast water that are capable of reproduction based on the best available science that may be used in addition to the methods established under subpart 162.060 of title 46, Code of Federal Regulations (or successor regulations).

“(III) REVISIONS.—The Secretary shall revise the final policy letter under subclause (I) in any case in which the Secretary, in coordination with the Administrator, determines that additional testing methods are capable of measuring the concentration of organisms in ballast water that have not been rendered nonviable.

“(v) FACTORS FOR CONSIDERATION.—In developing a policy letter under this subparagraph, the Secretary, in coordination with the Administrator—

“(I) shall take into consideration a testing method that uses organism grow-out and most probable number statistical analysis to determine the concentration of organisms in ballast water that are capable of reproduction; and

“(II) shall not take into consideration a testing method that relies on a staining method that measures the concentration of—

“(aa) organisms greater than or equal to 10 micrometers; and

“(bb) organisms less than or equal to 50 micrometers.

“(E) INTERGOVERNMENTAL RESPONSE FRAMEWORK.—

“(i) IN GENERAL.—The Secretary, in consultation with the Administrator and acting in coordination with, or through, the Aquatic Nuisance Species Task Force established by section 1201(a) of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4721(a)), shall establish a framework for Federal and intergovernmental response to aquatic nuisance species risks from discharges from vessels subject to ballast water and incidental discharge compliance requirements under this subsection, including the introduction, spread, and establishment of aquatic nuisance species populations.

“(ii) BALLAST DISCHARGE RISK RESPONSE.—The Administrator, in coordination with the Secretary and taking into consideration information from the National Ballast Information Clearinghouse developed under section 1102(f) of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4712(f)), shall establish a risk assessment and response framework using ballast water discharge data and aquatic nuisance species monitoring data for the purposes of—

“(I) identifying and tracking populations of aquatic invasive species;

“(II) evaluating the risk of any aquatic nuisance species population tracked under subclause (I) establishing and spreading in waters of the United States or waters of the contiguous zone; and

“(III) establishing emergency best management practices that may be deployed rapidly, in a local or regional manner, to respond to emerging aquatic nuisance species threats.

“(7) PETITIONS BY GOVERNORS FOR REVIEW.—

“(A) IN GENERAL.—The Governor of a State (or a designee) may submit to the Administrator or the Secretary a petition—

“(i) to issue an order under paragraph (4)(E); or

“(ii) to review any standard of performance, regulation, or policy promulgated under paragraph (4), (5), or (6), respectively, if there exists new information that could reasonably result in a change to—

“(I) the standard of performance, regulation, or policy; or

“(II) a determination on which the standard of performance, regulation, or policy was based.

“(B) INCLUSION.—A petition under subparagraph (A) shall include a description of any applicable scientific or technical information that forms the basis of the petition.

“(C) DETERMINATION.—

“(i) TIMING.—The Administrator or the Secretary, as applicable, shall grant or deny—

“(I) a petition under subparagraph (A)(i) by not later than the date that is 180 days after the date on which the petition is submitted; and

“(II) a petition under subparagraph (A)(ii) by not later than the date that is 1 year after the date on which the petition is submitted.

“(ii) EFFECT OF GRANT.—If the Administrator or the Secretary determines under clause (i) to grant a petition—

“(I) in the case of a petition under subparagraph (A)(i), the Administrator shall immediately issue the relevant order under paragraph (4)(E); or

“(II) in the case of a petition under subparagraph (A)(ii), the Administrator or Secretary shall publish in the Federal Register, by not later than 30 days after the date of that determination, a notice of proposed rulemaking to revise the relevant standard, requirement, regulation, or policy under paragraph (4), (5), or (6), as applicable.

“(iii) NOTICE OF DENIAL.—If the Administrator or the Secretary determines under clause (i) to deny a petition, the Administrator or Secretary shall publish in the Federal Register, by not later than 30 days after the date of that determination, a detailed explanation of the scientific, technical, or operational factors that form the basis of the determination.

“(iv) REVIEW.—A determination by the Administrator or the Secretary under clause (i) to deny a petition shall be—

“(I) considered to be a final agency action; and

“(II) subject to judicial review in accordance with section 509, subject to clause (v).

“(v) EXCEPTIONS.—

“(I) VENUE.—Notwithstanding section 509(b), a petition for review of a determination by the Administrator or the Secretary under clause (i) to deny a petition submitted by the Governor of a State under subparagraph (A) may be filed in any United States district court of competent jurisdiction.

“(II) DEADLINE FOR FILING.—Notwithstanding section 509(b), a petition for review of a determination by the Administrator or the Secretary under clause (i) shall be filed by not later than 180 days after the date on which the justification for the determination is published in the Federal Register under clause (iii).

“(8) PROHIBITION.—

“(A) IN GENERAL.—It shall be unlawful for any person to violate—

“(i) a provision of the Vessel General Permit in force and effect under paragraph (3)(A);

“(ii) a regulation promulgated pursuant to section 1101 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4711) (as in effect on the day before the date of enactment of this subsection) in force and effect under paragraph (3)(B); or

“(iii) an applicable requirement or regulation under this subsection.

“(B) COMPLIANCE WITH REGULATIONS.—Effective beginning on the effective date of a regulation promulgated under paragraph (4), (5), (6), or (10), as applicable, it shall be unlawful for the owner or operator of a vessel subject to the regulation—

“(i) to discharge any discharge incidental to the normal operation of the vessel into waters of the United States or waters of the contiguous zone, except in compliance with the regulation; or

“(ii) to operate in waters of the United States or waters of the contiguous zone, if the vessel is not equipped with a required marine pollution control device that complies with the requirements established under this subsection, unless—

“(I) the owner or operator of the vessel denotes in an entry in the official logbook of the vessel that the equipment was not operational; and

“(II) either—

“(aa) the applicable discharge was avoided; or

“(bb) an alternate compliance option approved by the Secretary as meeting the applicable standard was employed.

“(C) AFFIRMATIVE DEFENSE.—No person shall be found to be in violation of this paragraph if—

“(i) the violation was in the interest of ensuring the safety of life at sea, as determined by the Secretary; and

“(ii) the applicable emergency circumstance was not the result of negligence or malfeasance on the part of—

“(I) the owner or operator of the vessel;

“(II) the master of the vessel; or

“(III) the person in charge of the vessel.

“(D) TREATMENT.—Each day of continuing violation of an applicable requirement of this subsection shall constitute a separate offense.

“(E) IN REM LIABILITY.—A vessel operated in violation of this subsection is liable in rem for any civil penalty assessed for the violation.

“(F) REVOCATION OF CLEARANCE.—The Secretary shall withhold or revoke the clearance of a vessel required under section 60105 of title 46, United States Code, if the owner or operator of the vessel is in violation of this subsection.

“(9) EFFECT ON OTHER LAWS.—

“(A) STATE AUTHORITY.—

“(i) IN GENERAL.—Except as provided in clauses (ii) through (v) and paragraph (10), effective beginning on the date on which the requirements promulgated by the Secretary under subparagraphs (A), (B), and (C) of paragraph (5) with respect to every discharge incidental to the normal operation of a vessel that is subject to regulation under this subsection are final, effective, and enforceable, no State, political subdivision of a State, or interstate agency may adopt or enforce any law, regulation, or other requirement of the State, political subdivision, or interstate agency with respect to any such discharge.

“(ii) IDENTICAL OR LESSER STATE LAWS.—Clause (i) shall not apply to any law, regulation, or other requirement of a State, political subdivision of a State, or interstate agency in effect on or after the date of enactment of this subsection—

“(I) that is identical to a Federal requirement under this subsection applicable to the relevant discharge; or

“(II) compliance with which would be achieved concurrently in achieving compliance with a Federal requirement under this subsection applicable to the relevant discharge.

“(iii) STATE ENFORCEMENT OF FEDERAL REQUIREMENTS.—A State may enforce any standard of performance or other Federal requirement

of this subsection in accordance with subsection (k) or other applicable Federal authority.

“(iv) EXCEPTION FOR CERTAIN FEES.—

“(I) IN GENERAL.—Subject to subclauses (II) and (III), a State that assesses any fee pursuant to any State or Federal law relating to the regulation of a discharge incidental to the normal operation of a vessel before the date of enactment of this subsection may assess or retain a fee to cover the costs of administration, inspection, monitoring, and enforcement activities by the State to achieve compliance with the applicable requirements of this subsection.

“(II) MAXIMUM AMOUNT.—

“(aa) IN GENERAL.—Except as provided in item (bb), a State may assess a fee for activities under this clause equal to not more than \$1,000 against the owner or operator of a vessel that—

“(AA) has operated outside of that State; and
“(BB) arrives at a port or place of destination in the State (excluding movement entirely within a single port or place of destination).

“(bb) VESSELS ENGAGED IN COASTWISE TRADE.—A State may assess against the owner or operator of a vessel registered in accordance with applicable Federal law and lawfully engaged in the coastwise trade not more than \$5,000 in fees under this clause per vessel during a calendar year.

“(III) ADJUSTMENT FOR INFLATION.—

“(aa) IN GENERAL.—A State may adjust the amount of a fee authorized under this clause not more frequently than once every 5 years to reflect the percentage by which the Consumer Price Index for All Urban Consumers published by the Department of Labor for the month of October immediately preceding the date of adjustment exceeds the Consumer Price Index for All Urban Consumers published by the Department of Labor for the month of October that immediately precedes the date that is 5 years before the date of adjustment.

“(bb) EFFECT OF SUBCLAUSE.—Nothing in this subclause prevents a State from adjusting a fee in effect before the date of enactment of this subsection to the applicable maximum amount under subclause (II).

“(cc) APPLICABILITY.—This subclause applies only to increases in fees to amounts greater than the applicable maximum amount under subclause (II).

“(v) ALASKA GRAYWATER.—Clause (i) shall not apply with respect to any discharge of graywater (as defined in section 1414 of the Consolidated Appropriations Act, 2001 (Public Law 106-554; 114 Stat. 2763A-323)) from a passenger vessel (as defined in section 2101 of title 46, United States Code) in the State of Alaska (including all waters in the Alexander Archipelago) carrying 50 or more passengers.

“(vi) PRESERVATION OF AUTHORITY.—Nothing in this subsection preempts any State law, public initiative, referendum, regulation, requirement, or other State action, except as expressly provided in this subsection.

“(B) ESTABLISHED REGIMES.—Except as expressly provided in this subsection, nothing in this subsection affects the applicability to a vessel of any other provision of Federal law, including—

“(i) this section;

“(ii) section 311;

“(iii) the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.); and

“(iv) title X of the Coast Guard Authorization Act of 2010 (33 U.S.C. 3801 et seq.).

“(C) PERMITTING.—Effective beginning on the date of enactment of this subsection—

“(i) the Small Vessel General Permit is repealed; and

“(ii) the Administrator, or a State in the case of a permit program approved under section 402, shall not require, or in any way modify, a permit under that section for—

“(I) any discharge that is subject to regulation under this subsection;

“(II) any discharge incidental to the normal operation of a vessel from a small vessel or fish-

ing vessel, regardless of whether that discharge is subject to regulation under this subsection; or

“(III) any discharge described in paragraph (2)(B)(ii).

“(D) NO EFFECT ON CIVIL OR CRIMINAL ACTIONS.—Nothing in this subsection, or any standard, regulation, or requirement established under this subsection, modifies or otherwise affects, preempts, or displaces—

“(i) any cause of action; or

“(ii) any provision of Federal or State law establishing a remedy for civil relief or criminal penalty.

“(E) NO EFFECT ON CERTAIN SECRETARIAL AUTHORITY.—Nothing in this subsection affects the authority of the Secretary of Commerce or the Secretary of the Interior to administer any land or waters under the administrative control of the Secretary of Commerce or the Secretary of the Interior, respectively.

“(F) NO LIMITATION ON STATE INSPECTION AUTHORITY.—Nothing in this subsection limits the authority of a State to inspect a vessel pursuant to paragraph (5)(A)(iii) in order to monitor compliance with an applicable requirement of this section.

“(10) ADDITIONAL REGIONAL REQUIREMENTS.—

“(A) MINIMUM GREAT LAKES SYSTEM REQUIREMENTS.—

“(i) IN GENERAL.—Except as provided in clause (ii), the owner or operator of a vessel entering the St. Lawrence Seaway through the mouth of the St. Lawrence River shall conduct a complete ballast water exchange or saltwater flush—

“(I) not less than 200 nautical miles from any shore for a voyage originating outside the United States or Canadian exclusive economic zone; or

“(II) not less than 50 nautical miles from any shore for a voyage originating within the United States or Canadian exclusive economic zone.

“(ii) EXCEPTIONS.—Clause (i) shall not apply to a vessel if—

“(I) complying with an applicable requirement of clause (i)—

“(aa) would compromise the safety of the vessel; or

“(bb) is otherwise prohibited by any Federal, Canadian, or international law (including regulations) pertaining to vessel safety;

“(II) design limitations of the vessel prevent a ballast water exchange from being conducted in accordance with an applicable requirement of clause (i);

“(III) the vessel—

“(aa) is certified by the Secretary as having no residual ballast water or sediments onboard; or

“(bb) retains all ballast water while in waters subject to the requirement; or

“(IV) empty ballast tanks on the vessel are sealed and certified by the Secretary in a manner that ensures that—

“(aa) no discharge or uptake occurs; and

“(bb) any subsequent discharge of ballast water is subject to the requirement.

“(B) ENHANCED GREAT LAKES SYSTEM REQUIREMENTS.—

“(i) PETITIONS BY GOVERNORS FOR PROPOSED ENHANCED STANDARDS AND REQUIREMENTS.—

“(I) IN GENERAL.—The Governor of a Great Lakes State (or a State employee designee) may submit a petition in accordance with subclause (II) to propose that other Governors of Great Lakes States endorse an enhanced standard of performance or other requirement with respect to any discharge that—

“(aa) is subject to regulation under this subsection; and

“(bb) occurs within the Great Lakes System.

“(II) SUBMISSION.—A Governor shall submit a petition under subclause (I), in writing, to—

“(aa) the Executive Director of the Great Lakes Commission, in such manner as may be prescribed by the Great Lakes Commission;

“(bb) the Governor of each other Great Lakes State; and

“(cc) the Director of the Great Lakes National Program Office established by section 118(b).

“(III) PRELIMINARY ASSESSMENT BY GREAT LAKES COMMISSION.—

“(aa) IN GENERAL.—After the date of receipt of a petition under subclause (II)(aa), the Great Lakes Commission (acting through the Great Lakes Panel on Aquatic Nuisance Species, to the maximum extent practicable) may develop a preliminary assessment regarding each enhanced standard of performance or other requirement described in the petition.

“(bb) PROVISIONS.—The preliminary assessment developed by the Great Lakes Commission under item (aa)—

“(AA) may be developed in consultation with relevant experts and stakeholders;

“(BB) may be narrative in nature;

“(CC) may include the preliminary views, if any, of the Great Lakes Commission on the propriety of the proposed enhanced standard of performance or other requirement;

“(DD) shall be submitted, in writing, to the Governor of each Great Lakes State and the Director of the Great Lakes National Program Office and published on the internet website of the Great Lakes National Program Office; and

“(EE) except as provided in clause (iii), shall not be taken into consideration, or provide a basis for review, by the Administrator or the Secretary for purposes of that clause.

“(ii) PROPOSED ENHANCED STANDARDS AND REQUIREMENTS.—

“(I) PUBLICATION IN FEDERAL REGISTER.—

“(aa) REQUEST BY GOVERNOR.—Not earlier than the date that is 90 days after the date on which the Executive Director of the Great Lakes Commission receives from a Governor of a Great Lakes State a petition under clause (i)(II)(aa), the Governor may request the Director of the Great Lakes National Program Office to publish, for a period requested by the Governor of not less than 30 days, and the Director shall so publish, in the Federal Register for public comment—

“(AA) a copy of the petition; and

“(BB) if applicable as of the date of publication, any preliminary assessment of the Great Lakes Commission developed under clause (i)(III) relating to the petition.

“(bb) REVIEW OF PUBLIC COMMENTS.—On receipt of a written request of a Governor of a Great Lakes State, the Director of the Great Lakes National Program Office shall make available all public comments received in response to the notice under item (aa).

“(cc) NO RESPONSE REQUIRED.—Notwithstanding any other provision of law, a Governor of a Great Lakes State or the Director of the Great Lakes National Program Office shall not be required to provide a response to any comment received in response to the publication of a petition or preliminary assessment under item (aa).

“(dd) PURPOSE.—Any public comments received in response to the publication of a petition or preliminary assessment under item (aa) shall be used solely for the purpose of providing information and feedback to the Governor of each Great Lakes State regarding the decision to endorse the proposed standard or requirement.

“(ee) EFFECT OF PETITION.—A proposed standard or requirement developed under subclause (II) may differ from the proposed standard or requirement described in a petition published under item (aa).

“(II) COORDINATION TO DEVELOP PROPOSED STANDARD OR REQUIREMENT.—After the expiration of the public comment period for the petition under subclause (I), any interested Governor of a Great Lakes State may work in coordination with the Great Lakes Commission to develop a proposed standard of performance or other requirement applicable to a discharge referred to in the petition.

“(III) REQUIREMENTS.—A proposed standard of performance or other requirement under subclause (II)—

“(aa) shall be developed—

“(AA) in consultation with representatives from the Federal and provincial governments of Canada;

“(BB) after notice and opportunity for public comment on the petition published under subclause (I); and

“(CC) taking into consideration the preliminary assessment, if any, of the Great Lakes Commission under clause (i)(III);

“(bb) shall be specifically endorsed in writing by—

“(AA) the Governor of each Great Lakes State, if the proposed standard or requirement would impose any additional equipment requirement on a vessel; or

“(BB) not fewer than 5 Governors of Great Lakes States, if the proposed standard or requirement would not impose any additional equipment requirement on a vessel; and

“(cc) in the case of a proposed requirement to prohibit 1 or more types of discharge regulated under this subsection, whether treated or not treated, into waters within the Great Lakes System, shall not apply outside the waters of the Great Lakes States of the Governors endorsing the proposed requirement under item (bb).

“(iii) PROMULGATION BY ADMINISTRATOR AND SECRETARY.—

“(I) SUBMISSION.—

“(aa) IN GENERAL.—The Governors endorsing a proposed standard or requirement under clause (ii)(III)(bb) may jointly submit to the Administrator and the Secretary for approval each proposed standard of performance or other requirement developed and endorsed pursuant to clause (ii).

“(bb) INCLUSION.—Each submission under item (aa) shall include an explanation regarding why the applicable standard of performance or other requirement is—

“(AA) at least as stringent as a comparable standard of performance or other requirement under this subsection;

“(BB) in accordance with maritime safety; and

“(CC) in accordance with applicable maritime and navigation laws and regulations.

“(cc) WITHDRAWAL.—

“(AA) IN GENERAL.—The Governor of any Great Lakes State that endorses a proposed standard or requirement under clause (ii)(III)(bb) may withdraw the endorsement by not later than the date that is 90 days after the date on which the Administrator and the Secretary receive the proposed standard or requirement.

“(BB) EFFECT ON FEDERAL REVIEW.—If, after the withdrawal of an endorsement under subitem (AA), the proposed standard or requirement does not have the applicable number of endorsements under clause (ii)(III)(bb), the Administrator and the Secretary shall terminate the review under this clause.

“(dd) DISSENTING OPINIONS.—The Governor of a Great Lakes State that does not endorse a proposed standard or requirement under clause (ii)(III)(bb) may submit to the Administrator and the Secretary any dissenting opinions of the Governor.

“(II) JOINT NOTICE.—On receipt of a proposed standard of performance or other requirement under subclause (I), the Administrator and the Secretary shall publish in the Federal Register a joint notice that, at minimum—

“(aa) states that the proposed standard or requirement is publicly available; and

“(bb) provides an opportunity for public comment regarding the proposed standard or requirement during the 90-day period beginning on the date of receipt by the Administrator and the Secretary of the proposed standard or requirement.

“(III) REVIEW.—

“(aa) IN GENERAL.—As soon as practicable after the date of publication of a joint notice under subclause (II)—

“(AA) the Administrator shall commence a review of each proposed standard of performance

or other requirement covered by the notice to determine whether that standard or requirement is at least as stringent as comparable standards and requirements under this subsection; and

“(BB) the Secretary shall commence a review of each proposed standard of performance or other requirement covered by the notice to determine whether that standard or requirement is in accordance with maritime safety and applicable maritime and navigation laws and regulations.

“(bb) CONSULTATION.—In carrying out item (aa), the Administrator and the Secretary—

“(AA) shall consult with the Governor of each Great Lakes State and representatives from the Federal and provincial governments of Canada;

“(BB) shall take into consideration any relevant data or public comments received under subclause (II)(bb); and

“(CC) shall not take into consideration any preliminary assessment by the Great Lakes Commission under clause (i)(III), or any dissenting opinion under subclause (I)(dd), except to the extent that such an assessment or opinion is relevant to the criteria for the applicable determination under item (aa).

“(IV) APPROVAL OR DISAPPROVAL.—Not later than 180 days after the date of receipt of each proposed standard of performance or other requirement under subclause (I), the Administrator and the Secretary shall—

“(aa) determine, as applicable, whether each proposed standard or other requirement satisfies the criteria under subclause (III)(aa);

“(bb) approve each proposed standard or other requirement, unless the Administrator or the Secretary, as applicable, determines under item (aa) that the proposed standard or other requirement does not satisfy the criteria under subclause (III)(aa); and

“(cc) submit to the Governor of each Great Lakes State, and publish in the Federal Register, a notice of the determination under item (aa).

“(V) ACTION ON DISAPPROVAL.—

“(aa) RATIONALE AND RECOMMENDATIONS.—If the Administrator and the Secretary disapprove a proposed standard of performance or other requirement under subclause (IV)(bb), the notices under subclause (IV)(cc) shall include—

“(AA) a description of the reasons why the standard or requirement is, as applicable, less stringent than a comparable standard or requirement under this subsection, inconsistent with maritime safety, or inconsistent with applicable maritime and navigation laws and regulations; and

“(BB) any recommendations regarding changes the Governors of the Great Lakes States could make to conform the disapproved portion of the standard or requirement to the requirements of this subparagraph.

“(bb) REVIEW.—Disapproval of a proposed standard or requirement by the Administrator and the Secretary under this subparagraph shall be considered to be a final agency action subject to judicial review under section 509.

“(VI) ACTION ON APPROVAL.—On approval by the Administrator and the Secretary of a proposed standard of performance or other requirement under subclause (IV)(bb)—

“(aa) the Administrator shall establish, by regulation, the proposed standard or requirement within the Great Lakes System in lieu of any comparable standard or other requirement promulgated under paragraph (4); and

“(bb) the Secretary shall establish, by regulation, any requirements necessary to implement, ensure compliance with, and enforce the standard or requirement under item (aa), or to apply the proposed requirement, within the Great Lakes System in lieu of any comparable requirement promulgated under paragraph (5).

“(VII) NO JUDICIAL REVIEW FOR CERTAIN ACTIONS.—An action or inaction of a Governor of a Great Lakes State or the Great Lakes Commission under this subparagraph shall not be subject to judicial review.

“(VIII) GREAT LAKES COMPACT.—Nothing in this subsection limits, alters, or amends the

Great Lakes Compact to which Congress granted consent in the Act of July 24, 1968 (Public Law 90-419; 82 Stat. 414).

“(IX) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Great Lakes Commission \$5,000,000, to be available until expended.

“(C) MINIMUM PACIFIC REGION REQUIREMENTS.—

“(i) DEFINITION OF COMMERCIAL VESSEL.—In this subparagraph, the term ‘commercial vessel’ means a vessel operating between—

“(I) 2 ports or places of destination within the Pacific Region; or

“(II) a port or place of destination within the Pacific Region and a port or place of destination on the Pacific Coast of Canada or Mexico north of parallel 20 degrees north latitude, inclusive of the Gulf of California.

“(ii) BALLAST WATER EXCHANGE.—

“(I) IN GENERAL.—Except as provided in subclause (II) and clause (iv), the owner or operator of a commercial vessel shall conduct a complete ballast water exchange in waters more than 50 nautical miles from shore.

“(II) EXEMPTIONS.—Subclause (I) shall not apply to a commercial vessel—

“(aa) using, in compliance with applicable requirements, a type-approved ballast water management system approved by the Secretary; or

“(bb) voyaging—

“(AA) between or to a port or place of destination in the State of Washington, if the ballast water to be discharged from the commercial vessel originated solely from waters located between the parallel 46 degrees north latitude, including the internal waters of the Columbia River, and the internal waters of Canada south of parallel 50 degrees north latitude, including the waters of the Strait of Georgia and the Strait of Juan de Fuca;

“(BB) between ports or places of destination in the State of Oregon, if the ballast water to be discharged from the commercial vessel originated solely from waters located between the parallel 40 degrees north latitude and the parallel 50 degrees north latitude;

“(CC) between ports or places of destination in the State of California within the San Francisco Bay area east of the Golden Gate Bridge, including the Port of Stockton and the Port of Sacramento, if the ballast water to be discharged from the commercial vessel originated solely from ports or places within that area;

“(DD) between the Port of Los Angeles, the Port of Long Beach, and the El Segundo offshore marine oil terminal, if the ballast water to be discharged from the commercial vessel originated solely from the Port of Los Angeles, the Port of Long Beach, or the El Segundo offshore marine oil terminal;

“(EE) between a port or place of destination in the State of Alaska within a single Captain of the Port Zone;

“(FF) between ports or places of destination in different counties of the State of Hawaii, if the vessel may conduct a complete ballast water exchange in waters that are more than 10 nautical miles from shore and at least 200 meters deep; or

“(GG) between ports or places of destination within the same county of the State of Hawaii, if the vessel does not transit outside State marine waters during the voyage.

“(iii) LOW-SALINITY BALLAST WATER.—

“(I) IN GENERAL.—Except as provided in subclause (II) and clause (iv), the owner or operator of a commercial vessel that transports ballast water sourced from waters with a measured salinity of less than 18 parts per thousand and voyages to a Pacific Region port or place of destination with a measured salinity of less than 18 parts per thousand shall conduct a complete ballast water exchange—

“(aa) not less than 50 nautical miles from shore, if the ballast water was sourced from a Pacific Region port or place of destination; or

“(bb) more than 200 nautical miles from shore, if the ballast water was not sourced from a Pacific Region port or place of destination.

“(II) EXCEPTION.—Subclause (I) shall not apply to a commercial vessel voyaging to a port or place of destination in the Pacific Region that is using, in compliance with applicable requirements, a type-approved ballast water management system approved by the Secretary to achieve standards of performance of—

“(aa) less than 1 organism per 10 cubic meters, if that organism—

“(AA) is living, or has not been rendered non-viable; and

“(BB) is 50 or more micrometers in minimum dimension; and

“(bb) less than 1 organism per 10 milliliters, if that organism—

“(AA) is living, or has not been rendered non-viable; and

“(BB) is more than 10, but less than 50, micrometers in minimum dimension; and

“(cc) concentrations of indicator microbes that are less than—

“(AA) 1 colony-forming unit of toxicogenic *Vibrio cholerae* (serotypes O1 and O139) per 100 milliliters or less than 1 colony-forming unit of that microbe per gram of wet weight of zoological samples; and

“(BB) 126 colony-forming units of *Escherichia coli* per 100 milliliters; and

“(CC) 33 colony-forming units of intestinal enterococci per 100 milliliters; and

“(dd) concentrations of such additional indicator microbes and viruses as may be specified in the standards of performance established by the Administrator under paragraph (4).

“(iv) GENERAL EXCEPTIONS.—The requirements of clauses (ii) and (iii) shall not apply to a commercial vessel if—

“(I) complying with the requirement would compromise the safety of the commercial vessel; and

“(II) design limitations of the commercial vessel prevent a ballast water exchange from being conducted in accordance with clause (ii) or (iii), as applicable; and

“(III) the commercial vessel—

“(aa) is certified by the Secretary as having no residual ballast water or sediments onboard; or

“(bb) retains all ballast water while in waters subject to those requirements; or

“(IV) empty ballast tanks on the commercial vessel are sealed and certified by the Secretary in a manner that ensures that—

“(aa) no discharge or uptake occurs; and

“(bb) any subsequent discharge of ballast water is subject to those requirements.

“(D) ESTABLISHMENT OF STATE NO-DISCHARGE ZONES.—

“(i) STATE PROHIBITION.—Subject to clause (ii), after the effective date of regulations promulgated by the Secretary under paragraph (5), if any State determines that the protection and enhancement of the quality of some or all of the waters within the State require greater environmental protection, the State may prohibit 1 or more types of discharge regulated under this subsection, whether treated or not treated, into such waters.

“(ii) APPLICABILITY.—A prohibition by a State under clause (i) shall not apply until the date on which the Administrator makes the applicable determinations described in clause (iii).

“(iii) PROHIBITION BY ADMINISTRATOR.—

“(I) DETERMINATION.—On application of a State, the Administrator, in concurrence with the Secretary (subject to subclause (II)), shall, by regulation, prohibit the discharge from a vessel of 1 or more discharges subject to regulation under this subsection, whether treated or not treated, into the waters covered by the application if the Administrator determines that—

“(aa) prohibition of the discharge would protect and enhance the quality of the specified waters within the State; and

“(bb) adequate facilities for the safe and sanitary removal and treatment of the discharge are reasonably available for the water and all vessels to which the prohibition would apply; and

“(cc) the discharge can be safely collected and stored until a vessel reaches a discharge facility or other location; and

“(dd) in the case of an application for the prohibition of discharges of ballast water in a port (or in any other location where cargo, passengers, or fuel are loaded and unloaded)—

“(AA) the adequate facilities described in item (bb) are reasonably available for commercial vessels, after considering, at a minimum, water depth, dock size, pumpout facility capacity and flow rate, availability of year-round operations, proximity to navigation routes, and the ratio of pumpout facilities to the population and discharge capacity of commercial vessels operating in those waters; and

“(BB) the prohibition will not unreasonably interfere with the safe loading and unloading of cargo, passengers, or fuel.

“(II) CONCURRENCE WITH SECRETARY.—

“(aa) REQUEST.—The Administrator shall submit to the Secretary a request for written concurrence with respect to a prohibition under subclause (I).

“(bb) EFFECT OF FAILURE TO CONCUR.—A failure by the Secretary to concur with the Administrator under subclause (I) by the date that is 60 days after the date on which the Administrator submits a request for concurrence under item (aa) shall not prevent the Administrator from prohibiting the relevant discharge in accordance with subclause (III), subject to the condition that the Administrator shall include in the administrative record of the promulgation—

“(AA) documentation of the request submitted under item (aa); and

“(BB) the response of the Administrator to any written objections received from the Secretary relating to the proposed standard of performance during the 60-day period beginning on the date of submission of the request.

“(III) TIMING.—The Administrator shall approve or disapprove an application submitted under subclause (I) by not later than 90 days after the date on which the application is submitted to the Administrator.

“(E) MAINTENANCE IN EFFECT OF MORE-STRINGENT STANDARDS.—In any case in which a requirement established under this paragraph is more stringent or environmentally protective than a comparable requirement established under paragraph (4), (5), or (6), the more-stringent or more-protective requirement shall control.”

(2) REPEALS.—

(A) IN GENERAL.—Effective beginning on the date of enactment of this Act, the following provisions of law are repealed:

(i) Section 1101 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4711).

(ii) Public Law 110-299 (33 U.S.C. 1342 note).

(B) CONFORMING AMENDMENTS.—Section 1102 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4712) is amended—

(i) in subsection (c)(1), by inserting “(as in effect on the day before the date of enactment of the Vessel Incidental Discharge Act of 2018)” after “section 1101(b)”; and

(ii) in subsection (f)(1)(B), by inserting “(as in effect on the day before the date of enactment of the Vessel Incidental Discharge Act of 2018)” after “section 1101(c)”.

(b) REGULATIONS FOR USE OF MARINE POLLUTION CONTROL DEVICES.—Section 312 of the Federal Water Pollution Control Act (33 U.S.C. 1322) is amended—

(1) by striking the section designation and heading and all that follows through “For the purpose of” in subsection (a) and inserting the following:

“**SEC. 312. MARINE SANITATION DEVICES; DISCHARGES INCIDENTAL TO THE NORMAL OPERATION OF VESSELS.**

“(a) DEFINITIONS.—In”;

(2) in subsection (a)—

(A) in paragraph (7), by striking “devices or of vessels” and inserting “devices, marine pollution control device equipment, or vessels”; and

(B) in paragraph (13), in the matter preceding subparagraph (A), by inserting “, except as provided in subsection (p),” after “means”;

(3) in subsection (g)—

(A) by inserting “or marine pollution control device equipment” after “marine sanitation device” each place it appears;

(B) in paragraph (1)—

(i) by inserting “or equipment” after “such device”; and

(ii) by inserting “or equipment” after “test device”; and

(C) in paragraph (2)—

(i) by inserting “or equipment” after “the device” each place it appears; and

(ii) in the fourth sentence, by inserting “or equipment” after “device” each place it appears; and

(4) in subsection (h)—

(A) in paragraph (1), by inserting “and marine pollution control device equipment” after “marine sanitation device”;

(B) in paragraph (2), by inserting “or any certified marine pollution control device equipment or element of design of such equipment” after “such device”;

(C) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and indenting the subparagraphs appropriately; and

(D) by striking “(h) After” and inserting the following:

“(h) SALE AND RESALE OF PROPERLY EQUIPPED VESSELS; OPERABILITY OF CERTIFIED MARINE SANITATION DEVICES.—

“(1) IN GENERAL.—Subject to paragraph (2), after”;

(E) by adding at the end the following:

“(2) EFFECT OF SUBSECTION.—Nothing in this subsection requires certification of a marine pollution control device for use on any vessel of the Armed Forces.”

(c) ENFORCEMENT AUTHORITY.—

(I) IN GENERAL.—Section 312(k) of the Federal Water Pollution Control Act (33 U.S.C. 1322(k)) is amended—

(A) by striking the second sentence and inserting the following:

“(3) STATES.—

“(A) IN GENERAL.—This section may be enforced by a State or political subdivision of a State (including the attorney general of a State), including by filing a civil action in an appropriate Federal district court to enforce any violation of subsection (p).

“(B) JURISDICTION.—The appropriate Federal district court shall have jurisdiction with respect to a civil action filed pursuant to subparagraph (A), without regard to the amount in controversy or the citizenship of the parties—

“(i) to enforce the requirements of this section; and

“(ii) to apply appropriate civil penalties under this section or section 309(d), as appropriate.”;

(B) by striking “(k) The provisions of this” and inserting the following:

“(k) ENFORCEMENT AUTHORITY.—

“(1) ADMINISTRATOR.—This section shall be enforced by the Administrator, to the extent provided in section 309.

“(2) SECRETARY.—

“(A) IN GENERAL.—This”;

(C) in paragraph (2) (as so designated)—

(i) in subparagraph (A), by striking “operating and he may utilize by agreement” and inserting “operating, who may use, by agreement”;

(ii) by adding at the end the following:

“(B) INSPECTIONS.—For purposes of ensuring compliance with this section, the Secretary—

“(i) may carry out an inspection (including the taking of ballast water samples) of any vessel at any time; and

“(ii) shall—

“(I) establish procedures for—

“(aa) reporting violations of this section; and

“(bb) accumulating evidence regarding those violations; and

“(II) use appropriate and practicable measures of detection and environmental monitoring of vessels.

“(C) DETENTION.—The Secretary may detain a vessel if the Secretary—

“(i) has reasonable cause to believe that the vessel—

“(I) has failed to comply with an applicable requirement of this section; or

“(II) is being operated in violation of such a requirement; and

“(ii) the Secretary provides to the owner or operator of the vessel a notice of the intent to detain.”.

(2) PRESERVATION OF FEDERAL ENFORCEMENT AUTHORITY.—Section 309 of the Federal Water Pollution Control Act (33 U.S.C. 1319) is amended—

(A) in subsection (a)(3), by striking “318” and inserting “312(p), 318”;

(B) in subsection (c), by striking “318” each place it appears and inserting “312(p), 318”;

(C) in subsection (d), in the first sentence—

(i) by striking “318” and inserting “312(p), 318,”; and

(ii) by striking “State,,” and inserting “State,;” and

(D) in subsection (g)(1)(A), by striking “318” and inserting “312(p), 318”.

(3) PRESERVATION OF PUBLIC ENFORCEMENT AUTHORITY.—Section 505(f) of the Federal Water Pollution Control Act (33 U.S.C. 1365(f)) is amended by striking “(5) certification” and all that follows through the period at the end and inserting the following: “(5) a standard of performance or requirement under section 312(p); (6) a certification under section 401; (7) a permit or condition of a permit issued under section 402 that is in effect under this Act (including a requirement applicable by reason of section 313); or (8) a regulation under section 405(d).”.

(4) REVIEW.—Section 509(b) of the Federal Water Pollution Control Act (33 U.S.C. 1369(b)) is amended by adding at the end the following:

“(4) DISCHARGES INCIDENTAL TO NORMAL OPERATION OF VESSELS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), any interested person may file a petition for review of a final agency action under section 312(p) of the Administrator or the Secretary of the department in which the Coast Guard is operating in accordance with the requirements of this subsection.

“(B) VENUE EXCEPTION.—Subject to section 312(p)(7)(C)(v), a petition for review of a final agency action under section 312(p) of the Administrator or the Secretary of the department in which the Coast Guard is operating may be filed only in the United States Court of Appeals for the District of Columbia Circuit.”.

(d) LOGBOOK REQUIREMENTS.—Section 11301(b) of title 46, United States Code, is amended by adding at the end the following:

“(13) when a vessel fails to carry out ballast water management requirements as applicable and pursuant to regulations promulgated by the Secretary, including when the vessel fails to carry out ballast water management requirements due to an allowed safety exemption, a statement regarding the failure to comply and the circumstances under which the failure occurred, made immediately after the failure, when practicable to do so.”.

(e) QUAGGA MUSSEL.—Section 42(a)(1) of title 18, United States Code, is amended, in the first sentence, by inserting “of the quagga mussel of the species *Dreissena rostriformis* or *Dreissena bugensis*,” after “*Dreissena polymorpha*,”.

(f) COASTAL AQUATIC INVASIVE SPECIES MITIGATION GRANT PROGRAM AND MITIGATION FUND.—

(1) DEFINITIONS.—In this subsection:

(A) COASTAL ZONE.—The term “coastal zone” has the meaning given the term in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453).

(B) ELIGIBLE ENTITY.—The term “eligible entity” means—

(i) a State;

(ii) a unit of local government;

(iii) an Indian Tribe;

(iv) a nongovernmental organization; and

(v) an institution of higher education.

(C) EXCLUSIVE ECONOMIC ZONE.—The term “Exclusive Economic Zone” means the Exclusive Economic Zone of the United States, as established by Presidential Proclamation 5030, dated March 10, 1983 (16 U.S.C. 1453 note).

(D) FOUNDATION.—The term “Foundation” means the National Fish and Wildlife Foundation established by section 2(a) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701(a)).

(E) FUND.—The term “Fund” means the Coastal Aquatic Invasive Species Mitigation Fund established by paragraph (3)(A).

(F) PROGRAM.—The term “Program” means the Coastal Aquatic Invasive Species Mitigation Grant Program established under paragraph (2)(A).

(G) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

(2) GRANT PROGRAM.—

(A) ESTABLISHMENT.—The Secretary and the Foundation shall establish a program, to be known as the “Coastal Aquatic Invasive Species Mitigation Grant Program”, under which the Secretary and the Foundation shall award grants to eligible entities in accordance with this paragraph.

(B) PURPOSES.—The purposes of the Program are—

(i) to improve the understanding, prevention, and mitigation of, and response to, aquatic invasive species in—

(I) the coastal zone; and

(II) the Exclusive Economic Zone;

(ii) to support the prevention and mitigation of impacts from aquatic invasive species in the coastal zone; and

(iii) to support the restoration of Pacific Island habitats, marine, estuarine, and Great Lakes environments in the coastal zone and the Exclusive Economic Zone that are impacted by aquatic invasive species.

(C) USE OF GRANTS.—

(i) IN GENERAL.—A grant awarded under the Program shall be used for an activity to carry out the purposes of the Program, including an activity—

(I) to develop and implement procedures and programs, including permissible State ballast water inspection programs, to prevent, detect, control, mitigate, and rapidly or progressively eradicate aquatic invasive species in the coastal zone or the Exclusive Economic Zone, particularly in areas with high numbers of established aquatic invasive species;

(II) to restore habitat impacted by an aquatic invasive species;

(III) to develop new shipboard and land-based ballast water treatment system technologies and performance standards to prevent the introduction of aquatic invasive species;

(IV) to develop mitigation measures to protect natural and cultural living resources, including shellfish, from the impacts of aquatic invasive species; or

(V) to develop mitigation measures to protect infrastructure, such as hydroelectric infrastructure, from aquatic invasive species.

(ii) PROHIBITION ON FUNDING LITIGATION.—A grant awarded under the Program may not be used to fund litigation in any matter.

(D) ADMINISTRATION.—Not later than 90 days after the date of enactment of this Act, the Foundation, in consultation with the Secretary, shall establish the following:

(i) Application and review procedures for awarding grants under the Program.

(ii) Approval procedures for awarding grants under the Program, including a requirement for consultation with—

(I) the Secretary of the Interior; and

(II) the Administrator.

(iii) Performance accountability and monitoring measures for activities funded by a grant awarded under the Program.

(iv) Procedures and methods to ensure accurate accounting and appropriate administration of grants awarded under the Program, including standards of recordkeeping.

(E) MATCHING REQUIREMENT.—Each eligible entity that receives a grant under the Program shall provide, in cash or through in-kind contributions from non-Federal sources, matching funds to carry out the activities funded by the grant in an amount equal to not less than 25 percent of the cost of the activities.

(F) FUNDING.—The Secretary and the Foundation are authorized to use the amounts available in the Fund to award grants under the Program.

(3) MITIGATION FUND.—

(A) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund, to be known as the “Coastal Aquatic Invasive Species Mitigation Fund”, consisting of such amounts as are appropriated or credited to the Fund in accordance with this paragraph or section 9602 of the Internal Revenue Code of 1986.

(B) TRANSFERS TO FUND.—

(i) APPROPRIATION.—There is authorized to be appropriated from the Treasury to the Fund, for each fiscal year, an amount equal to the amount of penalties assessed for violations of subsection (p) of section 312 of the Federal Water Pollution Control Act (33 U.S.C. 1322) during the preceding fiscal year.

(ii) ADDITIONAL AUTHORIZATION.—In addition to the amounts transferred to the Fund under clause (i), there is authorized to be appropriated to the Fund \$5,000,000 for each fiscal year.

(C) USE OF FUND.—Subject to appropriations, the amounts in the Fund shall be available to the Secretary and the Foundation to award grants under the Program.

(g) GREAT LAKES AND LAKE CHAMPLAIN INVASIVE SPECIES PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(B) AQUATIC NUISANCE SPECIES.—The term “aquatic nuisance species” has the meaning given that term in subsection (p)(1) of section 312 of the Federal Water Pollution Control Act (33 U.S.C. 1322).

(C) DIRECTOR.—The term “Director” means the Director of the Great Lakes National Program Office established by section 118(b) of the Federal Water Pollution Control Act (33 U.S.C. 1268(b)).

(D) GREAT LAKES AND LAKE CHAMPLAIN SYSTEMS.—The term “Great Lakes and Lake Champlain Systems” includes—

(i) Lake Champlain; and

(ii) all bodies of water (including wetlands) within—

(I) the Great Lakes System (as defined in section 118(a)(3) of the Federal Water Pollution Control Act (33 U.S.C. 1268(a)(3))); or

(II) the Lake Champlain drainage basin (as defined in section 120(g) of the Federal Water Pollution Control Act (33 U.S.C. 1270(g))).

(E) PROGRAM.—The term “Program” means the Great Lakes and Lake Champlain Invasive Species Program established under paragraph (2)(A).

(2) ESTABLISHMENT OF PROGRAM.—

(A) IN GENERAL.—The Administrator shall establish within the Great Lakes National Program Office a program, to be known as the “Great Lakes and Lake Champlain Invasive Species Program”—

(i) in collaboration with—

(I) the Director of the United States Fish and Wildlife Service;

(II) the Administrator of the National Oceanic and Atmospheric Administration;

(III) the Director of the United States Geological Survey; and

(IV) the Secretary of the department in which the Coast Guard is operating; and

(ii) in consultation with—

(I) the head of Great Lakes Aquatic Non-indigenous Species Information System of the

National Oceanic and Atmospheric Administration; and

(II) the head of Great Lakes Environmental Research Laboratory of the National Oceanic and Atmospheric Administration.

(B) PURPOSES.—The purposes of the Program shall be—

(i) to monitor for the introduction and spread of aquatic nuisance species into or within the Great Lakes and Lake Champlain Systems;

(ii) to detect newly introduced aquatic nuisance species prior to the establishment of the aquatic nuisance species in the Great Lakes and Lake Champlain Systems;

(iii) to inform, and assist with, management and response actions to prevent or stop the establishment or spread of an aquatic nuisance species;

(iv) to establish a watch list of candidate aquatic nuisance species that may be introduced or spread, and that may survive and establish, within the Great Lakes and Lake Champlain Systems;

(v) to monitor vectors likely to be contributing to the introduction or spread of aquatic nuisance species, including ballast water operations;

(vi) to work collaboratively with the Federal, State, local, and Tribal agencies to develop criteria for prioritizing and distributing monitoring efforts;

(vii) to develop, achieve type approval for, and pilot shipboard or land-based ballast water management systems installed on, or available for use by, commercial vessels operating solely within the Great Lakes and Lake Champlain Systems to prevent the spread of aquatic nuisance species populations within the Great Lakes and Lake Champlain Systems; and

(viii) to facilitate meaningful Federal and State implementation of the regulatory framework in this subsection, including monitoring, shipboard education, inspection, and compliance conducted by States.

(3) METHODOLOGY.—The Program shall seek—

(A) to build on—

(i) existing aquatic nuisance species monitoring efforts; and

(ii) efforts to develop criteria for prioritizing and distributing monitoring efforts, geographically and among taxa, in the Great Lakes and Lake Champlain Systems;

(B) to advance early detection and monitoring, and capacity to control the establishment and spread, of aquatic nuisance species within the Great Lakes and Lake Champlain Systems;

(C) to identify opportunities to interdict the introduction and spread of aquatic nuisance species through sound science and technological advancements;

(D) to assess the risk of aquatic nuisance species introduction and spread via the range of vectors active within the Great Lakes and Lake Champlain Systems;

(E) to advance the development of type-approved ballast water management system (as defined in subsection (p)(1) of section 312 of the Federal Water Pollution Control Act (33 U.S.C. 1322) equipment for commercial, non-seagoing vessels that operate solely within the Great Lakes System (as defined in section 118(a)(3) of the Federal Water Pollution Control Act (33 U.S.C. 1268(a)(3)));

(F) to immediately make available to the public information regarding—

(i) the detection of new aquatic nuisance species within the Great Lakes and Lake Champlain Systems; or

(ii) the spread of aquatic nuisance species within the Great Lakes and Lake Champlain Systems;

(G) to annually submit to appropriate individuals and entities in each affected region a report describing the findings and activities of the Program;

(H) to identify roles and responsibilities of Federal agencies in aquatic nuisance species monitoring and response; and

(I) to provide resource assistance to States implementing State-level programs to enter into partnerships with Federal agencies in enforcing the requirements under subsection (p) of section 312 of the Federal Water Pollution Control Act (33 U.S.C. 1322).

(4) COLLABORATION.—In carrying out and developing the Program, the Director shall collaborate with—

(A) applicable Federal, State, local, and Tribal agencies; and

(B) such other research entities or stakeholders as the Director determines to be appropriate.

(5) DATA AVAILABILITY.—The Director shall—

(A) make the data collected under the Program available on a publicly accessible internet website, including in an annual summary report; and

(B) in coordination with the entities identified under paragraph (4), develop communication and notification protocols for the purpose of communicating the range of aquatic nuisance species and any identification of a new aquatic nuisance species introduced to the Great Lakes and Lake Champlain Systems.

(6) REPORT TO CONGRESS.—

(A) IN GENERAL.—Not later than December 31, 2019, the Director shall submit to Congress a report summarizing the outcomes of activities carried out under the Program.

(B) CONTENTS.—The report under subparagraph (A) shall include—

(i) a description of activities carried out under the Program, including an explanation of how those activities help to achieve the purposes described in paragraph (2)(B);

(ii) an analysis of Federal, State, and local efforts to enhance multidisciplinary approaches to achieve the purposes described in paragraph (2)(B);

(iii) recommendations relating to activities that would contribute to achievement of the purposes described in paragraph (2)(B); and

(iv) recommendations to improve the efficiency and effectiveness of the Program.

(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the Program \$50,000,000 for each of fiscal years 2019 through 2023.

(h) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 1102(f) of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4712(f)) is amended by striking paragraph (2) and inserting the following:

“(2) BALLAST WATER REPORTING REQUIREMENTS.—

“(A) IN GENERAL.—The owner or operator of a vessel subject to this title shall submit to the National Ballast Information Clearinghouse, by not later than 6 hours after the arrival of the vessel at a United States port or place of destination, the ballast water management report form approved by the Office of Management and Budget numbered OMB 1625-0069 (or a successor form), unless the vessel is operating exclusively on a voyage between ports or places within contiguous portions of a single Captain of the Port Zone.

“(B) MULTIPLE DISCHARGES.—The owner or operator of a vessel subject to this title may submit a single report under subparagraph (A) for multiple ballast water discharges within a single port or place of destination during the same voyage.

“(C) ADVANCE REPORT TO STATES.—A State may require the owner or operator of a vessel subject to this title to submit directly to the State, or to an appropriate regional forum, a ballast water management report form—

“(i) not later than 24 hours prior to arrival at a United States port or place of destination in the State, if the voyage of the vessel is anticipated to exceed 24 hours; or

“(ii) before departing the port or place of departure, if the voyage of the vessel to the United States port or place of destination is not anticipated to exceed 24 hours.

“(3) VESSEL REPORTING DATA.—

“(A) DISSEMINATION TO STATES.—On receipt of a ballast water management report under paragraph (2), the National Ballast Information Clearinghouse shall—

“(i) in the case of a form submitted electronically, immediately disseminate the report to interested States; or

“(ii) in the case of a form submitted by means other than electronically, disseminate the report to interested States as soon as practicable.

“(B) AVAILABILITY TO PUBLIC.—Not later than 30 days after the date of receipt of a ballast water management report under paragraph (2), the National Ballast Information Clearinghouse shall make the data in the report fully and readily available to the public in a searchable and fully retrievable electronic format.

“(4) REPORT.—

“(A) IN GENERAL.—Not later than July 1, 2019, and annually thereafter, the Secretary shall prepare and submit a report in accordance with this paragraph.

“(B) CONTENTS.—Each report under this paragraph shall synthesize and analyze the data described in paragraph (1) for the preceding 2-year period to evaluate nationwide status and trends relating to—

“(i) ballast water delivery and management; and

“(ii) invasions of aquatic nuisance species resulting from ballast water.

“(C) DEVELOPMENT.—The Secretary shall prepare each report under this paragraph in consultation and cooperation with—

“(i) the Task Force; and

“(ii) the Smithsonian Institution (acting through the Smithsonian Environmental Research Center).

“(D) SUBMISSION.—The Secretary shall—

“(i) submit each report under this paragraph to—

“(I) the Task Force;

“(II) the Committee on Commerce, Science, and Transportation of the Senate; and

“(III) the Committee on Transportation and Infrastructure of the House of Representatives; and

“(ii) make each report available to the public.

“(5) WORKING GROUP.—Not later than 1 year after the date of enactment of this paragraph, the Secretary shall establish a working group, including members from the National Ballast Information Clearinghouse and States with ballast water management programs, to establish a process for compiling and readily sharing Federal and State commercial vessel reporting and enforcement data regarding compliance with this Act.”.

(2) Section 1205 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4725) is amended—

(A) in the third sentence, by striking “Compliance” and inserting the following:

“(c) EFFECT OF COMPLIANCE.—Compliance”;

(B) in the second sentence, by striking “Nothing” and inserting the following:

“(b) EFFECT OF TITLE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), nothing”;

(C) in the first sentence, by striking “All actions” and inserting the following:

“(a) CONSISTENCY WITH ENVIRONMENTAL LAWS.—All actions”; and

(D) in subsection (b) (as so designated), by adding at the end the following:

“(2) EXCEPTION.—Any discharge incidental to the normal operation of a vessel, including any discharge of ballast water (as those terms are defined in subsections (a) and (p)(1) of section 312 of the Federal Water Pollution Control Act (33 U.S.C. 1322)), shall be regulated in accordance with that section.”.

TITLE X—HYDROGRAPHIC SERVICES AND OTHER MATTERS

SEC. 1001. AUTHORIZATION OF HYDROGRAPHIC SERVICES IMPROVEMENT ACT OF 1998.

(a) REAUTHORIZATIONS.—Section 306 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892d) is amended—

(1) in the matter before paragraph (1), by striking “There are” and inserting the following:

“(a) IN GENERAL.—There are”;

(2) in subsection (a) (as designated by paragraph (1))—

(A) in paragraph (1), by striking “surveys—” and all that follows through the end of the paragraph and inserting “surveys, \$70,814,000 for each of fiscal years 2019 through 2023.”;

(B) in paragraph (2), by striking “vessels—” and all that follows through the end of the paragraph and inserting “vessels, \$25,000,000 for each of fiscal years 2019 through 2023.”;

(C) in paragraph (3), by striking “Administration—” and all that follows through the end of the paragraph and inserting “Administration, \$29,932,000 for each of fiscal years 2019 through 2023.”;

(D) in paragraph (4), by striking “title—” and all that follows through the end of the paragraph and inserting “title, \$26,800,000 for each of fiscal years 2019 through 2023.”; and

(E) in paragraph (5), by striking “title—” and all that follows through the end of the paragraph and inserting “title, \$30,564,000 for each of fiscal years 2019 through 2023.”; and

(3) by adding at the end the following:

“(b) ARCTIC PROGRAMS.—Of the amount authorized by this section for each fiscal year—

“(1) \$10,000,000 is authorized for use in the Arctic—

“(A) to acquire hydrographic data;

“(B) to provide hydrographic services;

“(C) to conduct coastal change analyses necessary to ensure safe navigation;

“(D) to improve the management of coastal change; and

“(E) to reduce risks of harm to subsistence and coastal communities associated with increased international maritime traffic; and

“(2) \$2,000,000 is authorized for use to acquire hydrographic data and provide hydrographic services in the Arctic necessary to delineate the United States extended Continental Shelf.”.

(b) LIMITATION ON ADMINISTRATIVE EXPENSES FOR SURVEYS.—Section 306 of such Act (33 U.S.C. 892d) is further amended by adding at the end the following:

“(c) LIMITATION ON ADMINISTRATIVE EXPENSES FOR SURVEYS.—Of amounts authorized by this section for each fiscal year for contract hydrographic surveys, not more than 5 percent is authorized for administrative costs associated with contract management.”.

SEC. 1002. SYSTEM FOR TRACKING AND REPORTING ALL-INCLUSIVE COST OF HYDROGRAPHIC SURVEYS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Commerce shall—

(1) develop and implement a system to track and report the full cost to the Department of Commerce of hydrographic data collection, including costs relating to vessel acquisition, vessel repair, and administration of contracts to procure data;

(2) evaluate measures for comparing cost per unit effort in addition to measures of cost per nautical square mile; and

(3) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives a report on which additional measures for comparing cost per unit effort the Secretary intends to use and the rationale for such use.

(b) DEVELOPMENT OF STRATEGY FOR INCREASED CONTRACTING WITH NONGOVERNMENTAL ENTITIES FOR HYDROGRAPHIC DATA

COLLECTION.—Not later than 180 days after the date on which the Secretary completes the activities required by subsection (a), the Secretary shall develop a strategy for how the National Oceanic and Atmospheric Administration will increase contracting with nongovernmental entities for hydrographic data collection in a manner that is consistent with the requirements of the Ocean and Coastal Mapping Integration Act (Public Law 111–11; 33 U.S.C. 3501 et seq.).

SEC. 1003. HOMEPORT OF CERTAIN RESEARCH VESSELS.

(a) ACCEPTANCE OF FUNDS AUTHORIZED.—The Secretary of Commerce may accept non-Federal funds for the purpose of the construction of a new port facility, including obtaining such cost estimates, designs, and permits as may be necessary to facilitate the homeporting of the R/V FAIRWEATHER in accordance with title II of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2002 (Public Law 107–77; 115 Stat. 775) at a location that during such homeporting shall be under the administrative jurisdiction of the Under Secretary of Commerce for Oceans and Atmosphere.

(b) STRATEGIC PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall develop and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives a strategic plan for implementing subsection (a).

(c) ACCEPTANCE OF FUNDS AUTHORIZED.—The Secretary may accept non-Federal funds for the purpose of the construction of a new port facility, including obtaining such cost estimates, designs, and permits as may be necessary to facilitate the homeporting of a new, existing, or reactivated research vessel in the city of St. Petersburg, Florida, at a location that during such homeporting shall be under the administrative jurisdiction of the Under Secretary of Commerce for Oceans and Atmosphere.

(d) STRATEGIC PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall develop and submit to Congress a strategic plan for construction or acquisition of the facilities needed to allow for an oceanographic research vessel to be homeported in St. Petersburg, Florida. The strategic plan shall include an estimate of funding needed to construct such facilities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Oregon (Mr. DEFAZIO) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include any extraneous material on S. 140.

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

There was no objection.

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

Mr. Speaker, I am very proud to come to the floor tonight, not only with another Coast Guard reauthorization bill, but it will be the last bill I will pass and the Committee on Transportation and Infrastructure will pass, as my chairmanship expires and I leave Congress here at the end of the year. So it is a proud moment for me.

I am especially proud that S. 140 was named the Frank LoBiondo Coast Guard Authorization Act of 2018.

This is a product of bicameral and bipartisan efforts. The Coast Guard is an armed service with a very difficult mission: to enforce all Federal laws on, under, and over the high seas in the jurisdiction of the United States.

This bill supports the Coast Guard and its servicemembers by authorizing funding for fiscal year 2018 and 2019.

The legislation includes three bills reported from the Transportation and Infrastructure Committee: the Coast Guard Improvement Reform Act of 2017; the Coast Guard Authorization Act of 2017; and the Federal Maritime Commission Authorization Act of 2017.

The bill promotes commercial and recreational vessel safety, protects the environment, modernizes Coast Guard administration laws, and provides protection for American business in regard to foreign shipping alliances.

□ 1815

Once again, it authorizes a heavy icebreaker to be purchased by the Coast Guard. We just hope the appropriators find the funding to do that for a much-needed icebreaker.

The bill is named for our colleague, FRANK LOBIONDO, who previously served as chairman and ranking member of the Coast Guard and Maritime Transportation Subcommittee during five different Congresses. His leadership on the subcommittee translated into many legislative victories for the Coast Guard and their hardworking Coast Guard members. So it is absolutely fitting to name this after FRANK LOBIONDO.

Mr. Speaker, I urge all Members to support the Frank LoBiondo Coast Guard Reauthorization Act by voting “yes” on S. 140, and I reserve the balance of my time.

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

Mr. Speaker, I rise in full support of S. 140, legislation that we have been somewhat patiently waiting for the Senate to move on for over a year. This legislation incorporates three different bills passed and reported by the Transportation and Infrastructure Committee last year: H.R. 2518, the Coast Guard Authorization Act of 2017; H.R. 1726, the Coast Guard Improvement and Reform Act; and H.R. 2593, the Federal Maritime Commission Authorization Act.

This is going to provide both positive improvements in maritime policy, help with the competitiveness of the U.S. maritime industry, and it is going to be of substantial assistance to the Coast Guard. There are issues where we had some disagreement. It is not a perfect bill, but I am pleased to support it, and I urge all Members to support it.

I am particularly pleased with the 2-year authorized funding levels for the Coast Guard. It has been hurt over a number of years. Their budget has been too thin, and cuts imposed by the

Budget Control Act have been harmful. So this is a reasonable—not optimal—funding level, but it will meet both the acquisition and operational needs, and the Appropriations Committee will have the capability of meeting the targets we have set.

It would have a rigorous new process before the Coast Guard can permanently close any air facility it operates. In my home State of Oregon there was a rather sudden announcement of a closure of an air facility in the mid-coast, Newport, in Representative SCHRADER's district. The waters of the Pacific are extraordinarily cold year-round. Survival times are not long, and we were putting mariners—both recreational, commercial, and others—at risk. So we have now imposed a new process. There will have to be an extensive public review justification, and then Congress will also have time to review, evaluate, and, if necessary, reject future proposed closures.

I also support a provision in the bill that will allow certificates of documentation to be renewed on a multiyear basis. The Coast Guard has had a backlog forever on certificates of documentation, and they are annual. The rationale has been, well, we need to know your home port every year. We are going to have a process where you can get a 5-year certificate, and then if you change your home port, you have to report it within a certain number of days to the Coast Guard. That solves that issue.

There was a long-discussed provision that was very controversial on the Senate side on the Vessel Incidental Discharge Act. We came up with a compromise. Again, I don't know that it is optimal, but we can live with it. It sets strict technological standards for vessel discharges under the Clean Water Act to protect local waters, minimizing the introduction and spread of aquatic invasive species to where it was becoming an incredibly expensive and difficult problem. We don't need to spread anymore. It establishes a uniform national standard for ballast water treatment that will be developed both by the EPA and the Coast Guard to aid commercial carriers in movement of goods by providing regulatory certainty throughout the United States. It retains a significant role for individual States and citizens to protect their local waters, which has been a critical sticking point in prior efforts to pass this measure.

So under this proposal, States are guaranteed the ability to co-enforce and oversee implementation of the vessel discharge program, petition the EPA and Coast Guard to strengthen ballast discharge standard, should technologies that are more stringent become commercially available, and call for the establishment of no discharge zones in important and sensitive State waters, similar to those currently available for marine sewage. That, again, was not necessarily optimal, but I think it is workable and pro-

fects the interests of the State and our precious resources.

I want to acknowledge the chairman and thank him. This will be the last bill he manages on the floor. He has imposed regular order on the Transportation and Infrastructure Committee with the water resources development bills, the first long-term FAA bill in three decades, and now an excellent Coast Guard authorization in addition to other products.

I would like to also thank my ranking member—soon, perhaps, depending on where he decides to go—chairman of this subcommittee for his contributions. This is the third time that JOHN GARAMENDI has worked with the Republicans to deliver a good Coast Guard bill during his tenure. So, all in all, this is a strangely productive day for the House of Representatives, and I am proud to be here.

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

Mr. SHUSTER. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. MAST), who is the chairman of the Coast Guard and Maritime Transportation Subcommittee.

Mr. MAST. Mr. Speaker, I thank the chairman for yielding me time to speak in support of this act named after our friend, FRANK LOBIONDO. I thank the gentleman also for his time as chairman of the full committee.

As a Representative of Florida, the State with the second largest coastline in the country, I do have a profound respect for the men and women of the U.S. Coast Guard, and as a veteran as well. It has been an honor to work on such a bipartisan committee, which likewise has been filled with members who support the Coast Guard across a diverse set of evolving mission sets.

Every hour of every day the Coast Guard protects America's waterways. They promote a healthy environment, they ensure the safety of mariners, they enforce our laws, they keep us safe from piracy, and they keep us safe from smugglers.

Day in and day out I have had the opportunity to see some of their work firsthand. Recently I met with a search and rescue team in Pollockville, North Carolina, as they worked tirelessly on behalf of communities impacted by Hurricane Florence. I see my local Coasties in places like Fort Pierce. I see them saving mariners young and old, those lost at sea. There is no doubt that their selfless heroism and their decisive work saved many lives in the Carolinas, just as it did in Florida's Panhandle after Michael and across the Nation, wherever disaster befalls us.

I am proud to support this bill, which also authorizes \$10.6 billion to strengthen and support the U.S. Coast Guard in its invaluable defense of our waterways and of our homeland.

I am especially glad to see the inclusion of my bill, the Jupiter Island Land Transfer Act. This provision will finally resolve a decades-old conserva-

tion issue in my district and transfer four critical acres of unused Coast Guard property to the Hobe Sound National Wildlife Refuge to ensure the endangered turtles will continue to thrive. By protecting this land, we are doing our part to help ensure that the natural beauty of the Treasure Coast is maintained and continues to be the driver of our economy for many decades to come.

Mr. Speaker, I ask my colleagues to join me in supporting the brave and hardworking men and women of the U.S. Coast Guard and their indispensable work by supporting the FRANK LOBIONDO Coast Guard Authorization Act.

Mr. DEFAZIO. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. GARAMENDI), who is the ranking member.

Mr. GARAMENDI. Mr. Speaker, I will make this very brief. I know we are up against the clock here.

Mr. Speaker, I thank Mr. SHUSTER so very much for chairing the committee during my tenure on it and Mr. DEFAZIO, also, for his leadership. I want to also express my appreciation to the new chair, as well as the previous chair of the subcommittee, Mr. HUNTER, with whom I was able to work over the last 3 years.

Essentially, this is a good bill. It covers the things that the Coast Guard needs. It increases their funding to a level that is necessary. The title of the bill is proper. We all thank Mr. LOBIONDO for his many years of service.

There are a couple of things about the bill that I do want to speak to, and that is we have in the bill a backup system for the GPS that we so much rely upon now. It is finally going to get into the legislation. We also move forward with Blue Technologies and the autonomous, both air and underwater, vehicles that are going to be necessary for the Coast Guard to fully carry out its responsibilities.

Beyond that there are some things in the bill that are a compromise. I want to point one out that is very important, and that is section 834 to which I continue to object. This is a bill that actually allows for an aged wooden ship to ply the waters of the Mississippi. The Coast Guard correctly states that this vessel, constructed primarily of wood, and operating the overnight passenger trade, presents an unacceptable fire risk to its passengers and crew, and, accordingly, the Coast Guard is opposed to this particular section. It is unfortunate that is in the bill.

Mr. Speaker, I include in the RECORD two letters, one from the Department of Homeland Security and another one from the National Volunteer Fire Council.

ASSISTANT SECRETARY FOR
LEGISLATIVE AFFAIRS,
U.S. DEPARTMENT OF HOMELAND
SECURITY,

Washington, DC, June 28, 2017.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and
Infrastructure,

House of Representatives, Washington, DC.

DEAR REPRESENTATIVE SHUSTER: This letter sets forth Department of Homeland Security (DHS) views with regard to S. 89, a bill “[t]o amend title 46, United States Code, to exempt old vessels that only operate within inland waterways from the fire-retardant materials requirement if the owners of such vessels make annual structural alterations to at least 10 percent of the areas of the vessels that are not constructed of fire-retardant materials and for other purposes.”

Notwithstanding the form in which S. 89 is drafted, only one vessel, the Steamer DELTA QUEEN, would be eligible for the exemption. Because of the advanced age, construction, and configuration of the Steamer DELTA QUEEN, the vessel represents an unacceptable degree of fire safety risk to its passengers and crew. Given the risk that a marine casualty aboard the Steamer DELTA QUEEN poses to life, property, and infrastructure, the DHS must oppose S. 89.

Background:

The Steamer DELTA QUEEN is a 20th century vessel, the superstructure of which is constructed of wood. The vessel’s boilers are original and open directly to the wood superstructure. Uniquely, the vessel’s configuration has been altered such that the sole means of egress is the stage (gangway) on the bow.

In 1966, Congress stipulated that, “no passenger vessel of the United States . . . shall be granted a certificate of inspection . . . unless the vessel is constructed of fire-retardant materials (emphasis added).” During the ensuing decades, Congress temporarily delayed the effect of the mandate as it would apply to the Steamer DELTA QUEEN five separate times. Finally, in 2008, the temporary delay expired, and the mandate was made applicable to the Steamer DELTA QUEEN.

S. 89 would, once again, render the mandate inapplicable with regard to the Steamer DELTA QUEEN, provided that the vessel’s owner or operator makes structural alterations to those portions of the vessel that are not constructed of fire-retardant materials.

Discussion:

The prospect of fire aboard the Steamer DELTA QUEEN while underway cannot be readily dismissed. In 2008, the United States Coast Guard’s Traveling Inspector who was attending the vessel for examination noted “evidence of a lack of both short- and long-term maintenance that adversely impacts the safety of the vessel . . . [a]ll [of which has] to do with unintended or excess but unnecessary fireload [sic] (emphasis added).” The fire load was concentrated in the lower decks (i.e., the fire room, other mechanical areas, and the bilge, as well as in other non-public spaces that, at the time, were barewood compartments with no fire-rated insulation or finish). This fact is significant inasmuch as the most likely source of ignition would be the approximately 100-year-old boilers. The boilers’ footprint (height) is not wholly contained within the steel hull; as such, the boilers open directly to the aged and dry wood superstructure. Given that the vessel itself is not divided by thermal and structural boundaries, a fire within any one compartment could readily spread horizontally and vertically. In a worst-case scenario, a fire would begin in the boilers, overwhelm the vessel’s fire suppression system,

and spread throughout the whole of lower deck and into the berths and staterooms that sit atop the lower decks. If so, the planned evacuation would be hampered, if not precluded, because the only egress in the present (and not original) configuration is via the stage (gangway) on the bow, directly through the likely location of the fire. And if the vessel’s propulsion system too were to fail during this scenario, the vessel could pose a threat to other vessels and improvements on or above the navigable waters.

Separately, DHS notes that 46 U.S.C. §3503(b)(1)(D) requires the vessel’s owner/operator to “notify the Coast Guard of structural alterations to the vessel, and with regard to those alterations comply with any noncombustible material requirements that the Coast Guard prescribes for non-public spaces.” However, as late as 2008, the Traveling Inspector noted that:

Renovations, modifications[,] and or upgrades . . . were found to be limited to those associated with the installed sprinkler system only. Based on a review of Coast Guard records . . . there is no evidence of further modifications or structural fire protections upgrades since 1998 with most activity tapering off after 9/11/2001. Some existing non-public spaces, like the carpenter’s shop[,] have been improved by cleaning and organizing, which helps reduce the fire load. Other non-public spaces, such as the laundry room[,] still only show bare wood construction with varying degrees of stainless steel similar to the galley, but as indicated, the installations are not consistent throughout with fire rating unknown.

The Coast Guard advises that, if it were to inspect the Steamer DELTA QUEEN today, those non-public spaces would likely still be found wanting.

Additionally, S. 89 includes a provision whereby passenger vessels having berth or stateroom accommodations for at least 50 passengers shall only be granted a certificate of inspection if, among other things, the vessel has multiple forms of egress off the vessel’s bow and stern. While multiple forms of egress would be beneficial for the Steamer DELTA QUEEN during the period while she is exercising the proposed legislative exemption of S. 89, the implementation of a new standard would likely result in an unsubstantiated financial burden for the remainder of the passenger vessel industry not equipped with multiple forms of egress. Specifically, those vessels presently meeting the fire retardant requirements are not required, under current regulations, to meet a standard for multiple forms of egress off the bow and stern. If S. 89 is enacted those vessel owners and operators of presently compliant vessels, with only one form of egress, will incur costs associated with securing multiple forms of egress. Such costs will be borne with no identified benefit; all while the vessel that would benefit from multiple forms of egress, the Steamer DELTA QUEEN would continue to benefit from an exemption to the new standard.

Lastly, the DHS notes that S. 89 does not require the owner/operator to install thermal and structural boundaries, particularly about the boilers, and does not carry a monetary or non-monetary penalty for failure to comply with the proposed subparagraph (D) requirement. Given this infirmity, and in light of the lack of past compliance or improvements, DHS is not persuaded that allowing incremental alterations of some percentage of the vessel represents a viable solution.

In light of the aforementioned, DHS is resigned to oppose continuously any legislation that would provide any form of statutory relief for the Steamer DELTA QUEEN.

The Office of Management and Budget advises that, from the standpoint of the Ad-

ministration’s program, there is no objection to the presentation of this letter to Congress.

I appreciate your interest in the Administration’s concerns and input, and I look forward to working with you on future homeland security issues. An identical letter has been sent to Representative DeFazio, Senator Thune, and Senator Nelson.

If I may be of further assistance, please contact me.

Respectfully,

BENJAMIN CASSIDY,
Assistant Secretary for Legislative Affairs.

NATIONAL VOLUNTEER FIRE COUNCIL
November 19, 2018.

Hon. BILL SHUSTER,
Chairman, House Committee on Transportation
and Infrastructure, Washington, DC.

Hon. BRIAN MAST,
Chairman, Coast Guard and Maritime Transportation Subcommittee, Washington, DC.

Honorable Peter Defazio,
Ranking Member, House Committee on Transportation and Infrastructure, Washington, DC.

Honorable John Garamendi,
Ranking Member, Coast Guard and Maritime Transportation Subcommittee, Washington, DC.

DEAR CHAIRMAN SHUSTER, RANKING MEMBER DEFazio, CHAIRMAN MAST, AND RANKING MEMBER GARAMENDI: On behalf of the National Volunteer Fire Council (NVFC), which represents the interests of the nation’s volunteer fire, EMS, and rescue services, I am writing in opposition to a provision that was included in S. 140, legislation reauthorizing the U.S. Coast Guard, to exempt from fire safety standards certain historical vessels wishing to operate as cruise ships providing overnight accommodations to passengers.

As the Department of Homeland Security (DHS) stated last year in opposing this provision: “The use of wood construction, even when supplemented by other fire safety measures, has failed time and again to provide an acceptable level of safety for United States citizens carried on board ships.” Fire safety standards have a proven track record of saving lives. Our members see this every day responding to fires in structures with and without modern fire safety protections. Fires occurring in updated structures are far less likely to kill or injure occupants and responders.

One of the greatest challenges that fire safety advocates face is the belief that many people have that fire will never happen to them. The widespread adoption and enforcement of fire safety standards has led to a significant decrease in the number of fires, fire-related deaths, and fire-related injuries in vessels and structures in the United States, in spite of the fact that the general public underestimates the risk posed by fire. I am concerned not only that the fire safety exemption in S. 140 will endanger the lives of the passengers and crew members aboard historical vessels, but also for the dangerous precedent that it sets.

If you have any questions regarding this communication please contact Dave Finger, Chief of Legislative and Regulatory Affairs.

Sincerely,

KEVIN D. QUINN,
Chair.

Mr. GARAMENDI. With that, I think I have consumed all the time allowed. I will simply close in this way: All in all this is our third effort to successfully pass legislation. I see the majority counsel over there. I thank JOHN so very much for working with us. And on the minority side DAVID is an extraordinary individual. It has been a pleasure working with him on this, the third

successful passage of the Coast Guard reauthorization.

Mr. Speaker, I rise to join my Chairman on the Transportation and Infrastructure Committee, Congressman BILL SHUSTER, and my Ranking Democrat Member on the Transportation Committee, Congressman PETER DEFAZIO, to endorse and support S. 140, the Frank LoBiondo Coast Guard Authorization Act of 2018.

The Coast Guard is a special Federal agency, one that is selfless in service and highly proficient in its work. Ironically, the Coast Guard also is an agency that is over-worked, under-resourced, and rarely given the thanks that the men and women of the Coast Guard so rightly deserve.

Today, with the passage of this legislation, we can say that we are at last stepping up and authorizing funding levels commensurate with the many demands we ask our Coast Guard to undertake. The 2.6 percent increases for both fiscal years 2018 and 2019 will go far to address the deferred needs of the Coast Guard.

This stands in sharp contrast to the folly of the Trump administration's skinny budget for Fiscal Year 2017 that actually sought to cut Coast Guard funding by \$1.3 billion—a gross mistake if there ever was one.

In general, I applaud Chairman SHUSTER and his staff, and Ranking Member DEFAZIO and his staff, for their cooperative and collegial, yet determined, negotiations with the other body to arrive at a final bill that advances or clarifies several maritime policy initiatives, improves Coast Guard administration and management, and enhances Coast Guard mission readiness and capabilities.

I am particularly pleased that this legislation advances the Coast Guard's future use of new technologies to improve maritime safety and security and maritime domain awareness.

Chief among these is my provision to direct the Department of Transportation to establish a reliable back-up timing system to function should the positioning, navigation and timing signals transmitted by GPS satellites be disrupted or degraded.

The loss of GPS signals has been characterized as a "single point of failure" for national security and for critical infrastructure systems. Simply stated, we no longer can afford to ignore this threat, and I urge members to join me and support this legislation today.

The bill also institutes a new acquisition policy for the Coast Guard to acquire unmanned aerial systems, or UAS. The inability of the Coast Guard to acquire UAS systems for its National Security Cutters is a chronic problem. Restricting the Coast Guard to acquire only systems already acquired and proven effective by other military or non-military agencies, should enable the Service to acquire a UAS system that meets its mission needs without, as they say, "re-creating the wheel."

In addition, the bill directs the Coast Guard to sponsor a National Academy of Science study on the status of unmanned, underwater vessels and their potential as mission platforms for the Coast Guard, especially for surveillance activities.

This study should help inform the work of the Coast Guard's Blue Technology Center of Expertise that Congress authorized earlier this year with the enactment of Public Law 115-265.

I also want to express my support for Title VII of the bill that reauthorize the activities of

the Federal Maritime Commission and enact some important amendments to the Shipping Act made necessary by the disruption and consolidation in the global container shipping market.

Overall, I am pleased that this legislation would authorize increased funding levels for fiscal years 2018 and 2019 for the Federal Maritime Commission. Increased funding should enable the Commission to improve its capabilities to monitor shipping trades that remain turbulent.

The bankruptcy of Hanjin Lines in 2016 and the subsequent consolidation of the few remaining ocean carriers into three large alliances produced shock waves in global shipping markets. These new alliances also sent shock waves to U.S. marine terminal operators, tug operators, bunkering operators, and other marine service providers.

Title VII of this bill amends the Shipping Act to make some targeted and strategic amendments to improve the legal standing of U.S. port service providers. Additionally, this title strengthens the authority of the Federal Maritime Commission to oversee and intervene, if necessary, in future interactions between these alliances and U.S. port service providers to ensure fair competition.

I support these amendments to the Shipping Act as a good first step. I expect that these ideas will require additional refinement as the process moves forward, especially on how best to protect confidential and proprietary information gathered by the Federal Maritime Commission to understand market dynamics. I am open to those discussions and look forward to improving the bill.

I also want to express my support for Title IX of the bill that establishes new authorities for the regulation of ballast water and incidental discharges from commercial vessels.

While perhaps not perfect, the measure does provide for uniform regulation of vessel discharges within the scope of the Clean Water Act. In addition, the legislation addresses several important issues raised by coastal states, none the least granting states the ability to establish "no discharge zones" if necessary to protect sensitive state waters.

In closing, this bill is non-controversial legislation that addresses the interests of the Coast Guard and U.S. maritime industry. It also addresses the needs of the members on both sides of the aisle, and both sides of the Capitol. I support the legislation and urge its adoption.

Although I spoke earlier to express my full support for the underlying bill, I rise now to express my strong opposition to a provision that the Senate inserted into the legislation over my objection.

The specific provision is section 834, Fire Retardant Materials. Nothing could be further from the truth.

What this provision actually does is reinstate an exemption from a longstanding fire safety requirement for passenger vessels carrying 50 or more people on overnight voyages to be constructed using fire retardant materials.

And although the provision does not clearly state the vessel or vessels that would benefit from this exemption, the reality is that there is only one vessel, the *Delta Queen*, an aged paddlewheel steamship whose superstructure is almost entirely built out of wood, for which the exemption will apply.

In 2008, the 110th Congress decided—wisely in my view—not to renew this ill-advised ex-

emption for the *Delta Queen* in favor of upholding maritime safety. It was the correct decision then, and it remains the correct decision today.

I have little choice but to raise my objections to this provision based on the manner by which the other body tacked it onto the Coast Guard bill despite the fact that companion legislation introduced in the House, H.R. 619, went nowhere.

This legislation would waive a critical maritime fire safety standard and consequently expose the American public to overnight travel on a vessel that the Coast Guard maintains is "an unacceptable fire hazard to passengers and crew."

The Coast Guard's position remains clear and unequivocal. As stated in its 2008 Special Inspection report, the Coast Guard found that "The combustible construction of the vessel presents an unacceptable fire risk that cannot be mitigated by the addition of fire suppression measures."

The Coast Guard also concluded that, "The vessel, constructed primarily of wood and operating in the overnight passenger trade, presents an unacceptable fire risk to its passengers and crew." Accordingly, the Coast Guard has been, and remains, opposed to legislation to renew the exemption from fire safety standards for the *Delta Queen*.

Mr. Speaker, I have included in the RECORD the administration's views letter stating its opposition to S. 89, which is the underlying provision in section 834.

This provision also has drawn opposition from the National Volunteer Fire Council. The Council concludes that the "fire safety exemption in S. 140 will endanger the lives of passengers and crew members aboard historical vessels, but also for the dangerous precedent it sets."

Mr. Speaker, I have included in the RECORD the Council's letter stating its opposition to section 834.

I commend the Coast Guard for upholding its fire safety standards. I fail to see why it makes any sense for the other body to advance legislation that would sharply contradict the Coast Guard's recommendations and compromise maritime safety.

The American public trusts Congress to ensure that our nation's transportation system remains the safest in the world. Section 834 violates that trust.

Mr. SHUSTER. Mr. Speaker, it is my honor to yield 2 minutes to the gentleman from New Jersey (Mr. LOBIONDO), who is the current chairman of the Subcommittee on Aviation, the former chairman of the Coast Guard and Maritime Transportation Subcommittee, and the namesake of this bill.

Mr. LOBIONDO. Mr. Speaker, I thank Chairman SHUSTER for yielding.

It is an honor to have represented the Coast Guard's only recruit training center in the Nation which is in my district. It is an honor to have represented the Coast Guard Air Station in Atlantic City, which is the largest helicopter air station that the Coast Guard has.

Most of all, I want to recognize the men and women of the Coast Guard whom this bill will benefit. There are very few issues that have been so bipartisan across the board in my time here

in Congress. When I first came, I didn't really understand the commitment that the men and women of the Coast Guard continue to make for our Nation, always being asked to do more and given less to do it.

In many respects I wish we could have done more over the years, but to be able to move forward with a bill like this that is so bipartisan I think speaks to our commitment as a legislative body to the men and women to whom we owe so much that protect our country.

I want to particularly thank Geoff Gosselin who is now with the full Transportation and Infrastructure Committee, but was on my staff for a number of years and really did an amazing and outstanding job with Coast Guard issues for me in helping me to understand them and move them forward. So I want to thank all of my colleagues who have made this day possible.

Mr. DEFAZIO. Mr. Speaker, I yield 2 minutes to the gentleman from the State of Washington (Mr. LARSEN).

Mr. LARSEN of Washington. Mr. Speaker, I rise in support of the FRANK LOBIONDO Coast Guard Authorization Act of 2018.

Protecting the maritime jobs of the hardworking Washingtonians in the second district of my State, including at Dakota Creek Industries in Anacortes, is a priority of mine. The passage of this legislation supports U.S. maritime defense policy and sustains a strong domestic shipbuilding industry. It is a win as well for the hundreds of men and women at Dakota Creek Industries, which is a key contributor to our regional economy.

I appreciate the coordination with Senator CANTWELL, Senator SULLIVAN, and Representative DON YOUNG as we have worked for a year and a half to find a path to save the hundreds of jobs at DCI.

I also want to thank my friend, FRANK LOBIONDO. It is fitting that this bill is named for him, as he is a champion of all things transportation. He has worked tirelessly for the people of New Jersey, the people of his district, and for the people of this country to ensure that we have an infrastructure system in this country that works for all of them.

It has been an honor to serve with him for nearly two decades, and I will miss the work of Representative FRANK LOBIONDO.

Mr. SHUSTER. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. HUNTER), who is the former chairman of the Subcommittee on Coast Guard and Maritime Transportation and an advocate for the Coast Guard.

Mr. HUNTER. Mr. Speaker, I first want to thank Chairman SHUSTER for giving me the opportunity to serve for nearly 6 years as the chairman of the Coast Guard and Maritime Transportation Subcommittee, and I would like to thank him for yielding me time.

□ 1830

Mr. Speaker, I rise in strong support of S. 140, the Frank LoBiondo Coast Guard Authorization Act of 2018. Congressman LOBIONDO is and has been a tireless advocate for the men and women of the Coast Guard, and there is no other name more fitting for this bill.

Let me run through a few of the things that I find extremely great about this bill.

Title 9 contains the Vessel Incidental Discharge Act, legislation that I have introduced for three consecutive Congresses. It was compromised a little bit in the Senate but is still getting done.

Mr. GARAMENDI and I held many, many subcommittee hearings together. He has been known to ask at the appropriate hearings about the backup to GPS. This question is always met with blank stares. This bill makes important progress on a backup GPS system.

Finally, specifically section 514 establishes this backup timing component of the GPS system. That is no doubt thanks to Mr. GARAMENDI's tireless work.

I am also pleased that the legislation establishes a land-based unmanned aircraft system program for the Coast Guard. They have never had their unmanned aerial vehicle program until now. They have had to rely on other services or agencies for this important capability. These additional UAS assets will strengthen the Coast Guard's ability to interdict contraband and improve search and rescue missions.

During the last 6 years, we have held 46 hearings and five roundtables. We have worked to protect the Jones Act and ensure that our country has a strong maritime industrial base, including a skilled pool of American shipyard workers and mariners who would be critical in a time of conflict.

Earlier this year, Congress enacted legislation coming out of the tragic El Faro accident to improve the safety of those American mariners. We have also worked to reduce burdensome regulations that harm U.S. maritime jobs and the competitiveness of the U.S. flag fleet.

We held joint hearings with the Committee on Homeland Security to shed light on security vulnerabilities at our ports and sought to enhance the screening of cargo entering our country and, with the Armed Services Committee, to look at the shared missions of the Navy and the Coast Guard in carrying out defense missions. We pushed the Coast Guard to act like the military service that they are.

The subcommittee also took massive steps to modernize our Nation's icebreaker fleet and to encourage the Navy and Coast Guard to have a comprehensive plan for the Arctic.

Mr. Speaker, I want to end by thanking a few people. Some of the most fulfilling work serving as the subcommittee chairman was forming strong relationships with the men and women who guard our coasts. The

Coast Guard House Liaison Office and the Coast Guard fellows assigned to the subcommittee over the last 6 years have represented their service well. I would like to thank them for their hard work and camaraderie.

I also want to thank Congressman GARAMENDI for his friendship and being such a strong partner on these issues.

Finally, I want to thank the subcommittee's staff director, John Rayfield, and the exceptional committee staff who have been invaluable as a resource and worked tirelessly to carry out the subcommittee's mission.

With that, Mr. Speaker, I urge all Members to support the legislation.

Mr. DEFAZIO. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Speaker, I rise today in support of the Frank LoBiondo Coast Guard Authorization Act of 2018.

This bill provides critical policy guidance to the Coast Guard as it protects our Nation's shores and maritime interests. The bill increases authorized funding levels, requires a review of our Arctic strategy and the Coast Guard's ability to achieve it, and provides authority to procure three new National Security Cutters.

The bill also includes a provision to ensure that public safety answering points that respond to 911 calls from vehicles in distress are trained to relay that information to the Coast Guard or tow companies.

Sector Long Island Sound has been working with municipality dispatch centers in Connecticut and New York to implement a training program to route these calls. I want to thank Mystic towboat Captain Jeff Dzedzic for bringing this issue to my attention and Congresswoman ESTY for working with my office last year to include this language in the bill.

Mr. Speaker, eastern Connecticut is the proud home of the U.S. Coast Guard Academy and Coast Guard Station New London. Therefore, I am particularly excited that this bill includes a provision that will help boost construction of the future National Coast Guard Museum to be built along the Thames River in New London. In particular, it authorizes engineering and design work to be performed by the Coast Guard in this project.

The Coast Guard is the only military service without its own museum. Under the leadership of Jim Coleman, Richard Grahm, Admiral Papp, Captain Wes Pulver, and many others, this project is well on its way to becoming a world-class destination to showcase the rich heritage of the Coast Guard, which dates back to 1790 when Alexander Hamilton created America's "first fleet," which, by the way, was organized before the U.S. Navy.

I would like to thank the chairman, Mr. SHUSTER, and Mr. LOBIONDO, as they depart. Again, they are great role models of bipartisan leadership and about getting results. I want to also

thank the ranking member, Mr. DEFAZIO, and also the subcommittee ranking member, JOHN GARAMENDI, for their hard work. I also thank Dave Jansen and John Rayfield for helping guide this bill to a successful conclusion.

Mr. Speaker, I urge support of this bill.

Mr. SHUSTER. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Speaker, I rise in very strong support of this legislation.

I want to thank the chairman and the ranking member for their leadership.

I would like to highlight a specific portion of the bill. This provision preserves an important piece of American history and it supports American jobs. It would reinstate the Delta Queen's grandfathered status from a law that prohibits wooden boats from carrying overnight passengers.

Congress granted the Delta Queen a reprieve from that grandfathered law, which adversely impacts it, for four decades. In doing so, Congress recognized that the Delta Queen was constructed before the law that adversely impacted it was in place and that the law was intended to regulate vessels at sea, oceangoing vessels. It was never intended for river-faring boats like the Delta Queen. That is why Congress granted this reprieve for 40 years. We failed to do that back in 2008.

We are looking at \$100 million in development, in economic dollars in the river areas of this country, including the city of Cincinnati, my area. It used to be the home port. It will be one of the stops. It means a lot of jobs for a lot of people. It will be safely done.

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

I want to thank Dave Jansen for his hard work and again congratulate the chairman on his last bill passing on the floor.

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

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

Mr. Speaker, I urge all my colleagues to support S. 140, the Frank LoBiondo Coast Guard Authorization Act of 2018. It is a good bipartisan bill. I urge all my colleagues to vote for it.

Finally, I would like to thank the staff on both sides of the aisle. On our side, especially, I thank the Coast Guard Subcommittee staff and John Rayfield, who heads up that staff, for his tremendous work. He just informed me that, under the subcommittee's jurisdiction, we will have authorized every single program under that committee's jurisdiction. Great work by John and his team on the subcommittee.

Mr. Speaker, I include in the RECORD the names of the staff on the committee.

From Chairman Shuster's Staff:
John Rayfield
Bonnie Bruce
Lt. Commander Luke Peterson

Kevin Reig
Maggie Chan
Kathy Loden
Brittany Smith
Hannah Matesic
Fred Miller
Geoff Gosselin
Chris Vieson
From Ranking Member DeFazio's Staff:
Dave Jansen
Kathy Dedrick
Alex Burkett
From the Office of Legislative Counsel:
Hank Savage
Tom Dillon

Mr. SHUSTER. Mr. Speaker, I would also like to thank all my members for the great support they have given me on both sides of the aisle to move a lot of bipartisan legislation. I want to thank them for that. I thank my subcommittee chairmen for their leadership in working with me.

Finally, I thank my counterpart, the leader of the Democrats on the Transportation and Infrastructure Committee, sometimes being a worthy foe, most of the time being a dependable and able ally. I thank him for all his work. I also thank him for the very, very thoughtful small going away gift that he gave me. I appreciate that greatly. Again, I finally thank him for all his effort and work.

I have no say in who is going to be the next chairman of the committee, but I can tell you that nobody is more able and knowledgeable about the transportation and infrastructure world than PETER DEFAZIO. I wish him the best and look forward to seeing him down the road.

Mr. Speaker, I urge passage of S. 140, and I yield back the balance of my time.

Mr. PASCRELL. Mr. Speaker, I rise today in strong support of S. 140, the Frank LoBiondo Coast Guard Authorization Act of 2018. Congressman LOBIONDO has served his constituents in New Jersey's 2nd congressional district well, including the Coast Guard Training Center Cape May in Cape May, New Jersey. From his position on the House Transportation and Infrastructure Committee, a panel on which we served together for a decade, he successfully fought on behalf of our state and the brave men and women in uniform who guard our nation. Congressman LOBIONDO has focused on strengthening our nation's maritime industry, which is a critical source of jobs and economic output in New Jersey. During his time in Congress, Congressman LOBIONDO fought to improve the lives of our service men and women and their families. Given his service to bettering the Coast Guard, it is fitting that this year's authorization legislation is named after Congressman FRANK LOBIONDO. I look forward to this bill's passage and strongly urge all my colleagues to support S. 140.

Mrs. TORRES. Mr. Speaker, I rise in support of S. 140, the Frank LoBiondo Coast Guard Authorization Act. No institution is more critical to our national defense and homeland security than the United States Coast Guard, and every day, the men and women of the Coast Guard carry out vital, life-saving missions, including drug interdiction and search and rescue. On November 9, I had the opportunity to tour the Coast Guard's District 11 fa-

cilities in Alameda, California. I was deeply impressed by the dedication and professionalism of the Coast Guard officials I met. However, I was also troubled by the state of some of Coast Guard's equipment. Resources for the Coast Guard are clearly needed, now more than ever, so it is deeply unfortunate that the Trump administration has sought to cut the Coast Guard's budget by as much as 14 percent and has transferred millions of dollars in Coast Guard funding to Immigration and Customs Enforcement. Congress should not allow the Trump administration to raid the Coast Guard budget to implement its anti-immigrant policies. But today, I urge all my colleagues to support S. 140, and I applaud the Chairman and Ranking Member for their hard work bringing this important measure to the floor. Likewise, it is vitally important that, as negotiations regarding the Fiscal Year 2019 Department of Homeland Security Appropriations Act continue, Congress include sufficient funding for the Coast Guard so that it has the resources it needs to carry out its vital missions.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHUSTER) that the House suspend the rules and concur in the Senate amendment to the House amendment to the bill, S. 140.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment to the House amendment was concurred in.

A motion to reconsider was laid on the table.

BLOCKING PROPERTY OF CERTAIN PERSONS CONTRIBUTING TO THE SITUATION IN NICARAGUA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 115-173)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and the Committee on the Judiciary and ordered to be printed:

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 212(f) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f)), and section 301 of title 3, United States Code, I hereby report that I have issued an Executive Order declaring a national emergency to deal with the threat posed by the situation in Nicaragua, including the violent response by the Government of Nicaragua to the protests that began on April 18, 2018, and the Ortega regime's systematic dismantling and undermining of democratic institutions and the rule of law, its use of indiscriminate violence and repressive tactics against civilians, as well as its corruption leading to the destabilization of Nicaragua's economy.

The Executive Order blocks all property and interests in property within

United States jurisdiction of any person determined by the Secretary of the Treasury, in consultation with the Secretary of State:

(i) to be responsible for or complicit in, or to have directly or indirectly engaged or attempted to engage in, any of the following:

(A) serious human rights abuse in Nicaragua;

(B) actions or policies that undermine democratic processes or institutions in Nicaragua;

(C) actions or policies that threaten the peace, security, or stability of Nicaragua;

(D) any transaction or series of transactions involving deceptive practices or corruption by, on behalf of, or otherwise related to the Government of Nicaragua or a current or former official of the Government of Nicaragua, such as the misappropriation of public assets or expropriation of private assets for personal gain or political purposes, corruption related to government contracts, or bribery;

(ii) to be a leader or official of an entity that has, or whose members have, engaged in any activity described in section (i) or of an entity whose property and interests in property are blocked pursuant to the Executive Order;

(iii) to be an official of the Government of Nicaragua or to have served as an official of the Government of Nicaragua at any time on or after January 10, 2007;

(iv) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of:

(A) any activities described in section (i); or

(B) any person whose property and interests in property are blocked pursuant to the Executive Order; or

(v) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the Executive Order.

I have delegated to the Secretary of the Treasury, in consultation with the Secretary of State, the authority to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of the Executive Order. All agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the Executive Order.

I am enclosing a copy of the Executive Order I have issued.

DONALD J. TRUMP.

THE WHITE HOUSE, November 27, 2018.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SAM JOHNSON of Texas). Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

The motion to suspend the rules and pass H.R. 5273 by the yeas and nays;

The motion to suspend the rules and pass H.R. 6207 by the yeas and nays; and

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

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

GLOBAL FRAGILITY AND VIOLENCE REDUCTION ACT OF 2018

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5273) to reduce global fragility and violence by improving the capacity of the United States to reduce and address the causes of violence, violent conflict, and fragility in pilot countries, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 376, nays 16, not voting 38, as follows:

[Roll No. 421]

YEAS—376

Abraham	Cartwright	Dingell
Adams	Castor (FL)	Doggett
Aderholt	Castro (TX)	Donovan
Aguilar	Chabot	Doyle, Michael
Allen	Cheney	F.
Arrington	Chu, Judy	Duncan (SC)
Babin	Ciulline	Dunn
Bacon	Clark (MA)	Emmer
Balderson	Clarke (NY)	Engel
Banks (IN)	Clay	Eshoo
Barr	Cleaver	Espallat
Barragán	Cloud	Estes (KS)
Bass	Clyburn	Esty (CT)
Beatty	Coffman	Evans
Bera	Cohen	Faso
Bergman	Cole	Ferguson
Beyer	Collins (GA)	Fitzpatrick
Bilirakis	Collins (NY)	Fleischmann
Bishop (GA)	Comer	Flores
Bishop (UT)	Comstock	Fortenberry
Black	Conaway	Foster
Blackburn	Cannolly	Fox
Blumenauer	Cook	Frankel (FL)
Blunt Rochester	Cooper	Fudge
Bonamici	Correa	Gabbard
Bost	Costa	Gallagher
Boyle, Brendan	Costello (PA)	Gallego
F.	Courtney	Garamendi
Brady (PA)	Cramer	Gianforte
Brady (TX)	Crawford	Gibbs
Brat	Crist	Gomez
Brooks (IN)	Crowley	Goodlatte
Brown (MD)	Cuellar	Gottheimer
Brownley (CA)	Curbelo (FL)	Granger
Buchanan	Curtis	Graves (GA)
Buck	Davidson	Graves (LA)
Bucshon	Davis (CA)	Graves (MO)
Budd	Davis, Danny	Green, Al
Bustos	Davis, Rodney	Green, Gene
Butterfield	DeFazio	Griffith
Byrne	DeGette	Grijalva
Calvert	Delaney	Guthrie
Capuano	DeLauro	Handel
Carbajal	DelBene	Harper
Cárdenas	Demings	Hartzler
Carson (IN)	DeSaulnier	Heck
Carter (GA)	Deutch	Hensarling
Carter (TX)	Diaz-Balart	Hern

Herrera Beutler	Mast	Sarbanes
Higgins (LA)	Matsui	Scalise
Higgins (NY)	McCarthy	Scanlon
Hill	McCaul	Schakowsky
Himes	McCollum	Schiff
Holding	McEachin	Schneider
Hollingsworth	McGovern	Schrader
Hoyer	McHenry	Schweikert
Hudson	McKinley	Scott (VA)
Huffman	McMorris	Scott, Austin
Huizenga	Rodgers	Scott, David
Hultgren	McNerney	Sensenbrenner
Hunter	McSally	Serrano
Hurd	Meadows	Sessions
Issa	Meeks	Sewell (AL)
Jackson Lee	Meng	Shea-Porter
Jayapal	Mitchell	Sherman
Jeffries	Moolenaar	Shimkus
Jenkins (KS)	Mooney (WV)	Shuster
Johnson (GA)	Moore	Simpson
Johnson (LA)	Morelle	Sinema
Johnson (OH)	Moulton	Smith (MO)
Johnson, E. B.	Mullin	Smith (NE)
Johnson, Sam	Murphy (FL)	Smith (NJ)
Jordan	Nadler	Smith (TX)
Joyce (OH)	Napolitano	Smith (WA)
Kaptur	Neal	Smucker
Katko	Newhouse	Soto
Keating	Norcross	Speier
Kelly (IL)	Norman	Stefanik
Kelly (MS)	Kelly (PA)	Stewart
Kelly (PA)	O'Halleran	Stivers
Kennedy	O'Rourke	Suozi
Khanna	Olson	Swalwell (CA)
Kihuen	Palazzo	Takano
Kildee	Pallone	Taylor
Kilmer	Palmer	Tenney
Kind	Panetta	Thompson (CA)
King (IA)	Pascrell	Thompson (MS)
King (NY)	Paulsen	Thompson (PA)
Kinzinger	Payne	Thornberry
Krishnamoorthi	Pearce	Titus
Kuster (NH)	Kuster (TN)	Tonko
Kustoff (TN)	Perlmutter	Torres
LaHood	Perry	Trott
Lamb	Peters	Tsongas
Lamborn	Peterson	Turner
Lance	Pingree	Upton
Langevin	Pittenger	Vargas
Larsen (WA)	Pocan	Veasey
Larson (CT)	Poe (TX)	Vela
Latta	Poliquin	Velázquez
Lawrence	Polis	Visclosky
Lawson (FL)	Posey	Wagner
Lee	Price (NC)	Walberg
Lesko	Quigley	Walden
Levin	Raskin	Walker
Lewis (GA)	Reed	Walorski
Lewis (MN)	Reichert	Wasserman
Lieu, Ted	Rice (NY)	Schultz
Lipinski	Richmond	Waters, Maxine
LoBiondo	Eshoo	Watson Coleman
Loeback	Roe (TN)	Weber (TX)
Lofgren	Rogers (AL)	Webster (FL)
Long	Rogers (KY)	Welch
Love	Rohrabacher	Wenstrup
Lowenthal	Rokita	Westerman
Lowey	Rooney, Francis	Williams
Lucas	Ros-Lehtinen	Wilson (SC)
Luetkemeyer	Rosen	Wittman
Lujan Grisham,	Ross	Womack
M.	M.	Woodall
Luján, Ben Ray	Rothfus	Yarmuth
Lynch	Rouzer	Yoder
MacArthur	Roybal-Allard	Yoho
Ruiz	Ruppertsberger	Young (AK)
Maloney,	Russell	Young (IA)
Carolyn B.	Rutherford	Zeldin
Marchant	Ryan (OH)	
Marino	Sánchez	
Marshall		

NAYS—16

Amash	Gohmert	Massie
Biggs	Gosar	McClintock
Blum	Grothman	Rice (SC)
Brooks (AL)	Harris	Sanford
Duncan (TN)	Hice, Jody B.	
Gaetz	Loudermilk	

NOT VOTING—38

Amodei	Duffy	Jones
Barletta	Ellison	Knight
Barton	Frelinghuysen	Labrador
Bishop (MI)	Garrett	LaMalfa
Burgess	Gonzalez (TX)	Maloney, Sean
Culberson	Gowdy	Messer
Cummins	Gutiérrez	Noem
Denham	Hanabusa	Nolan
DesJarlais	Hastings	Ratcliffe

Renacci	Royce (CA)	Valadao
Rooney, Thomas J.	Rush	Walters, Mimi
Roskam	Sires	Walz
	Tipton	Wilson (FL)

□ 1908

Messrs. HARRIS, RICE of South Carolina, and GOSAR changed their vote from “yea” to “nay.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: “A bill to reduce global fragility and violence by improving the capacity of the United States to reduce and address the causes of violence, violent conflict, and fragility, and for other purposes.”

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 16, 2018.

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

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from Mr. Jonathan Marks, Commissioner, Bureau Commissions, Elections and Legislation, Department of State, Commonwealth of Pennsylvania, indicating that, according to the preliminary results of the Special Election held November 6, 2018, the Honorable Susan Wild was elected Representative to Congress for the 15th Congressional District, Commonwealth of Pennsylvania.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF STATE, BUREAU
COMMISSIONS, ELECTIONS AND LEGISLATION,

Harrisburg, PA, November 16, 2018.

Hon. KAREN L. HAAS,
Clerk, House of Representatives,
Washington, DC.

DEAR MS. HAAS: This is to advise you that the unofficial results of the Special Election held on Tuesday, November 6, 2018, for Representative in Congress from the 15th Congressional District of Pennsylvania, show that Susan Wild received 130,353 votes or 48.54% of the total number of votes cast for that office.

It would appear from these unofficial results that Susan Wild was elected as Representative in Congress from the 15th Congress District of Pennsylvania.

To the best of our knowledge and belief at this time, there is no contest to this election.

As soon as the official results are certified to this office by all counties involved, an official Certificate of Election will be prepared for transmittal as required by law.

Sincerely,

JONATHAN MARKS,
Commissioner.

SWEARING IN OF THE HONORABLE SUSAN WILD, OF PENNSYLVANIA, AS A MEMBER OF THE HOUSE

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentlewoman from Pennsylvania, the Honorable SUSAN WILD, be permitted to take the oath of office today.

Her certificate of election has not arrived, but there is no contest and no question has been raised with regard to her election.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER. Will Representative-elect WILD and the members of the Pennsylvania delegation present themselves in the well.

All Members will rise and the Representative-elect will please raise her right hand.

Ms. WILD appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, you are now a Member of the 115th Congress.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Members in the gallery will be in order.

WELCOMING THE HONORABLE SUSAN WILD TO THE HOUSE OF REPRESENTATIVES

The SPEAKER. Without objection, the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE) is recognized for 1 minute.

There was no objection.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, as dean of the Pennsylvania congressional delegation, it is my great pleasure to welcome our newest colleague.

A longtime resident of Pennsylvania's Lehigh Valley, SUSAN WILD has a distinguished legal career in private practice as well as in public service as Allentown's city solicitor. She also has an impressive record of community involvement and leadership, serving on boards of a number of local nonprofit organizations.

I am happy to welcome Representative WILD to this body, and I look forward to working with her and our colleagues in the Pennsylvania delegation to serve the Commonwealth and this great Nation.

Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. THOMPSON), the senior Republican member of the Pennsylvania delegation.

Mr. THOMPSON of Pennsylvania. On behalf of the entire Pennsylvania delegation, SUSAN, we are just pleased to welcome you to the 115th Congress. Congratulations.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield to our newest colleague in the House of Representatives, Congresswoman SUSAN WILD.

Ms. WILD. Mr. Speaker, Representatives of the 115th Congress, I am profoundly humbled and honored that the people of my district have entrusted me with the duty of representing them.

The work of conducting the people's business in this Chamber has endured through unfinished struggles for equality and justice, through conflicts abroad and crises at home.

I look forward to taking part in that work through the remainder of this session and into the next Congress, when a historically diverse freshman class, including more women than ever before in our Nation's history, will take their oaths. Our first responsibility must be to the most vulnerable and least fortunate among us, and our voices should amplify theirs.

My parents both lived lives of service. My father, a conservative Republican, spent his entire career in the Air Force and was driven by a sense of duty. My mother, a progressive Democrat, believed at her core that we are defined by what we do for others. They have both passed away now, but my standing here is a testament to them.

We in Congress have a responsibility and opportunity to improve the everyday lives of the people of our districts. On behalf of my community, your communities, and generations to come, I know that we can and must rise to the occasion and deliver shared and lasting progress.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentlewoman from Pennsylvania, the whole number of the House is 432

DEMOCRATIC REPUBLIC OF THE CONGO DEMOCRACY AND ACCOUNTABILITY ACT OF 2018

The SPEAKER. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 6207) to support democracy and accountability in the Democratic Republic of the Congo, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.
The vote was taken by electronic device, and there were—yeas 374, nays 11, not voting 46, as follows:

[Roll No. 422]
YEAS—374

Abraham DeSaulnier King (IA)
Adams Deutch King (NY)
Aderholt Diaz-Balart Kinzinger
Aguilar Dingell Krishnamoorthi
Allen Doggett Kuster (NH)
Arrington Donovan Kustoff (TN)
Babin Doyle, Michael LaHood
Bacon F. Lamb
Balderson Duncan (SC) Lamborn
Banks (IN) Dunn Lance
Barr Emmer Langevin
Barragan Engel Larsen (WA)
Bass Eshoo Larson (CT)
Beatty Espaillat Latta
Bera Estes (KS) Lawrence
Bergman Esty (CT) Lawson (FL)
Beyer Evans Lee
Bilirakis Faso Lesko
Bishop (GA) Fitzpatrick Levin
Bishop (UT) Fleischmann Lewis (GA)
Blackburn Flores Lewis (MN)
Blumenauer Fortenberry Lieu, Ted
Blunt Rochester Foster Lipinski
Bonamici Foxx LoBiondo
Bost Frankel (FL) Loebsack
Boyle, Brendan Fudge Long
F. Gaetz Loudermilk
Brady (PA) Gallagher Love
Brady (TX) Gallego Lowenthal
Brat Garamendi Lowey
Brooks (IN) Gianforte Lucas
Brown (MD) Gibbs Luetkemeyer
Brownley (CA) Gohmert Gomez
Buchanan Gomez Lujan Grisham,
Buck Goodlatte M.
Buehson Lujan, Ben Ray
Budd Granger Lynch
Bustos Graves (GA) MacArthur
Butterfield Graves (LA) Maloney,
Byrne Graves (MO) Carolyn B.
Calvert Green, Al Marchant
Capuano Green, Gene Marino
Carbajal Griffith Marshall
Cárdenas Grijalva Mast
Carson (IN) Grothman Matsui
Carter (GA) Guthrie McCarthy
Carter (TX) Handel McCaul
Cartwright Harper McCollum
Castor (FL) Harris McEachin
Castro (TX) Hartzler McGovern
Chabot Heck McHenry
Cheney Hensarling McKinley
Chu, Judy Hern McMorris
Ciilline Herrera Beutler Rodgers
Clark (MA) Hice, Jody B. McNerney
Clarke (NY) Higgins (LA) McSally
Clay Higgins (NY) Meadows
Cleave Hill Meeks
Cloud Himes Meng
Clyburn Holding Mitchell
Coffman Hollingsworth Moolenaar
Cohen Hoyer Mooney (WV)
Cole Hudson Moore
Collins (GA) Huffman Morelle
Collins (NY) Huiizenga Moulton
Comer Hultgren Mullin
Comstock Hunter Murphy (FL)
Conaway Hurd Nadler
Connolly Jackson Lee Napolitano
Cook Jayapal Neal
Cooper Jeffries Newhouse
Correa Jenkins (KS) Norcross
Costa Johnson (GA) Norman
Costello (PA) Johnson (LA) Nunes
Courtney Johnson (OH) O'Halleran
Cramer Johnson, E. B. O'Rourke
Crawford Johnson, Sam Olson
Crist Jordan Palazzo
Crowley Joyce (OH) Pallone
Cuellar Kaptur Palmer
Curbelo (FL) Katko Panetta
Curtis Keating Pascrell
Davidson Kelly (IL) Paulsen
Davis (CA) Kelly (MS) Payne
Davis, Danny Kelly (PA) Pearce
Davis, Rodney Kennedy Perlosi
DeGette Khanna Perlmutter
Delaney Kihuen Perry
DeLauro Kildee Peters
DelBene Kilmer Peterson
Demings Kind Pingree

Pittenger Schiff
Pocan Schneider
Poe (TX) Schrader
Poliquin Schweikert
Polis Rice (NY)
Posey Scott, Austin
Price (NC) Scott, David
Quigley Sensenbrenner
Raskin Serrano
Reed Sessions
Reichert Sewell (AL)
Rice (NY) Shea-Porter
Richmond Sherman
Roby Shimkus
Roe (TN) Shuster
Rogers (AL) Simpson
Rogers (KY) Smith (MO)
Rohrabacher Smith (NE)
Rokita Smith (NJ)
Rooney, Francis Smith (TX)
Ros-Lehtinen Smith (WA)
Rosen Smucker
Ross Soto
Rothfus Speier
Rouzer Stefanik
Roybal-Allard Stewart
Ruiz Stivers
Ruppersberger Suozzi
Russell Swalwell (CA)
Rutherford Takano
Ryan (OH) Ryan Taylor
Sánchez Tenney
Sarbanes Thompson (CA)
Scalise Thompson (MS)
Scanlon Thompson (PA)
Schakowsky Thornberry

Titus
Tonko
Torres
Trott
Tsongas
Upton
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Wasserman
Schultz
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (IA)
Zeldin

NAYS—11

Amash
Biggs
Blum
Brooks (AL)
Duncan (TN)
Gosar
Massie
McClintock

Rice (SC)
Sanford
Yoho

NOT VOTING—46

Amodei
Barletta
Barton
Bishop (MI)
Black
Burgess
Culberson
Cummings
DeFazio
Denham
DesJarlais
Duffy
Ellison
Ferguson
Frelinghuysen
Gabbard
Garrett
Gonzalez (TX)
Gowdy
Gutiérrez
Hanabusa
Hastings
Issa
Jones
Knight
Labrador
LaMalfa
Maloney, Sean
Messer
Noem
Nolan
Ratcliffe

Renacci
Rooney, Thomas
J.
Roskam
Royce (CA)
Rush
Sinema
Sires
Tipton
Turner
Valadao
Walters, Mimi
Walz
Waters, Maxine
Wilson (FL)

□ 1931

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DISPENSING WITH MORNING-HOUR DEBATE ON TOMORROW

Mr. SESSIONS. Madam Speaker, I ask unanimous consent that the order of the House of January 8, 2018, regarding morning-hour debate not apply tomorrow.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. SESSIONS. Madam Speaker, I ask unanimous consent that it be in order at any time on the legislative day of November 29, 2018, for the

Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV.

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

There was no objection.

CORRECTING ENROLLMENT OF S. 140

Mr. MAST. Madam Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (S. Con. Res. 51) to correct the enrollment of S. 140, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

S. CON. RES. 51

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of S. 140, an Act to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund, the Secretary of the Senate shall amend the title so as to read: "A bill to authorize appropriations for the Coast Guard, and for other purposes."

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

RESTORE THE HARMONY WAY BRIDGE ACT

Mr. MAST. Madam Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure be discharged from further consideration of the bill (H.R. 6793) to transfer a bridge over the Wabash River to the States of Illinois and Indiana, 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 Florida?

There was no objection.

The text of the bill is as follows:

H.R. 6793

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 "Restore the Harmony Way Bridge Act".

SEC. 2. TRANSFER OF BRIDGE AND LAND.

Notwithstanding any provision of the Act approved April 12, 1941 (Public Law 77-37; 55 Stat. 140-144), not later than 90 days after the date of enactment of this Act, the White County Bridge Commission shall convey, without consideration, to the New Harmony Bridge Bi-State Commission, all right, title, and interest of the United States in and to the bridge and the approaches thereto across the Wabash River at or near New Harmony, Indiana, under the jurisdiction of the White County Bridge Commission.

SEC. 3. REPEAL.

The Act approved April 12, 1941 (Public Law 77-37; 55 Stat. 140-144) is repealed effective on the date that the White County Bridge Commission completes the conveyance described in section 2.

AMENDMENT OFFERED BY MR. MAST

Mr. MAST. Madam 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:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Restore the Harmony Way Bridge Act".

SEC. 2. TRANSFER OF BRIDGE AND LAND.

Notwithstanding any provision of the Act of April 12, 1941 (55 Stat. 140, chapter 71), not later than 90 days after the date of enactment of this Act, the White County Bridge Commission shall convey, without consideration, to the New Harmony Bridge Bi-State Commission, all right, title, and interest of the United States in and to the bridge and the approaches thereto across the Wabash River at or near New Harmony, Indiana, under the jurisdiction of the White County Bridge Commission.

SEC. 3. REPEAL.

The Act of April 12, 1941 (55 Stat. 140, chapter 71) is repealed effective on the date that the White County Bridge Commission completes the conveyance described in section 2.

Mr. MAST (during the reading). Madam Speaker, I ask unanimous consent to dispense with the reading.

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

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.

**GEORGE W. WHITEHURST
FEDERAL BUILDING**

Mr. MAST. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6622) to designate the Federal building located at 2110 First Street in Fort Myers, Florida, as the "George W. Whitehurst Federal 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 Florida?

There was no objection.

The text of the bill is as follows:

H.R. 6622

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The Federal building located at 2110 First Street in Fort Myers, Florida, shall be known and designated as the "George W. Whitehurst Federal Building".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the "George W. Whitehurst Federal Building".

COMMITTEE AMENDMENT IN THE NATURE OF A
SUBSTITUTE

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:

SECTION 1. DESIGNATION.

The Federal building and United States courthouse located at 2110 First Street in Fort Myers, Florida, shall be known and designated as the "George W. Whitehurst Federal Building and United States Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in section 1 shall be deemed to be a reference to the "George W. Whitehurst Federal Building and United States Courthouse".

Mr. MAST (during the reading). Madam Speaker, I ask for unanimous consent to dispense with the reading.

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

There was no objection.

The committee 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 Federal building located at 2110 First Street in Fort Myers, Florida, as the 'George W. Whitehurst Federal Building and United States Courthouse'."

A motion to reconsider was laid on the table.

**EXTENDING ADMINISTRATIVE
PENALTY AUTHORITY OF FEDERAL
ELECTION COMMISSION**

Mr. HARPER. Madam Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the bill (H.R. 7120) to amend the Federal Election Campaign Act of 1971 to extend through 2023 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission, 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 Mississippi?

There was no objection.

The text of the bill is as follows:

H.R. 7120

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF ADMINISTRATIVE PENALTY AUTHORITY OF FEDERAL ELECTION COMMISSION THROUGH 2023.

(a) EXTENSION OF AUTHORITY.—Section 309(a)(4)(C)(v) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109(a)(4)(C)(v)) is amended by striking "December 31, 2018" and inserting "December 31, 2023".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the earlier of—

(1) December 31, 2018; or

(2) the date of the enactment of this 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.

**MAJOR BRENT TAYLOR VET
CENTER OUTSTATION**

Mr. ROE of Tennessee. Madam Speaker, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of the bill (H.R. 7163) to designate the outstation of the Department of Veterans Affairs in North Ogden, Utah, as the Major Brent Taylor Vet Center Outstation, 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 Tennessee?

There was no objection.

The text of the bill is as follows:

H.R. 7163

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress finds the following:

(1) Major Brent Taylor began his military service following the attacks of September 11, 2001. He joined the Army National Guard in 2003, three days after his engagement to his wife, Jennie. Five of his brothers would eventually serve in the Armed Forces following the deadly attacks.

(2) During his time in the Army National Guard, Major Taylor distinguished himself in service to the United States and the State of Utah. He received a commission as a second lieutenant from the Brigham Young University Reserve Officer Training Corps in 2006, while graduating as a member of the National Society of Collegiate Scholars.

(3) During his impressive career with the Utah National Guard, Major Taylor distinguished himself in multiple specialties, including Intelligence and Military Police. One of his earliest assignments included analyzing foreign language documents in support of the Defense Intelligence Agency. He also led document exploitation efforts in multiple European and South American languages for a variety of intelligence community customers. Major Taylor also managed a team that assessed security vulnerabilities at high-profile facilities across the United States, all while maintaining a successful private sector career in Utah.

(4) Major Taylor was continuously ready to take up his Nation's call to arms and deployed four times in support of operations in Iraq and Afghanistan. His deployed duties varied from Platoon Leader and Combat Advisor to Chief of Staff to the Special Operations Advisory Group, responsible for leading a joint task force advising and assisting an elite Afghan special operations unit.

(5) Throughout his deployments, Major Taylor distinguished himself on several occasions, earning a multitude of awards including the Bronze Star. The citation credits Major Taylor's ability to think calmly and decisively with keeping his subordinates safe while traversing 600,000 miles of roads in Iraq, laden with improvised explosive devices (hereinafter, "IED") and ripe for ambush.

(6) During one particularly harrowing mission, Major Taylor's vehicle was struck by an IED. While he survived the attack, the wounds he received earned him the Purple Heart.

(7) Major Taylor's amazing record of service was not limited to the battlefield. In 2010, he served as a member of the North Ogden City Council and, in 2013, Major Taylor was elected mayor. His steadfast leadership led to the city being recognized as "Business Friendly" by the Governor of Utah, and as one of the safest, freest cities in the United States by several organizations. His initiatives included improvements to public works and infrastructure, attracting businesses to the area, developing a local community center, and increasing transparency. His action led his constituents to reelect Major Taylor in 2017.

(8) In 2018, Major Taylor placed himself on a leave of absence from his mayoral duties in order to deploy to Afghanistan, explaining to his constituents, "Service is what leadership is all about".

(9) While serving in Afghanistan, a dear colleague, Afghani Lieutenant Kefayatullah, was killed shortly before the Afghan elections. Major Taylor wrote, "The strong turnout at that election, despite the attacks and challenges, was a success for the long-suffering people of Afghanistan, and for the cause of human freedom. I am proud of the brave Afghan and U.S. soldiers I serve with. Many American, NATO and Afghan troops have died to make moments like this election possible." He also extolled the American public to embrace its civic duty, stating, "I hope everyone back home exercises their precious right to vote. And that whether the Republicans or Democrats win, that we all remember that we have far more as Americans that unites us than divides us."

(10) Tragically, on Saturday, November 3, 2018, Major Taylor was killed in an attack in Afghanistan. He is survived by his wife, Jennie, and his seven children, Megan, Lincoln, Alex, Jacob, Ellie, Jonathan, and Caroline.

(11) The impression that Major Taylor left was indelible. An Afghan officer who had served with Major Taylor, penned a letter to his wife, stating, "Your husband taught me to love my wife Hamida as an equal and treat my children as treasured gifts, to be a better father, to be a better husband, and to be a better man." That officer further commented that, "He died on our soil but he died for the success of freedom and democracy in both of our countries."

(12) It is only well and fitting that, as a tribute to this man's amazing life, Congress name a facility in honor of Major Taylor's shining example of service and sacrifice.

SEC. 2. DESIGNATION OF MAJOR BRENT TAYLOR VET CENTER OUTSTATION IN NORTH OGDEN, UTAH.

(a) DESIGNATION.—The outstation of the Department of Veterans Affairs located at 2357 North 400 East Washington Boulevard, North Ogden, Utah, shall, after the date of the enactment of this Act, be known and designated as the "Major Brent Taylor Vet Center Outstation".

(b) REFERENCE.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be considered to be a reference to the Major Brent Taylor Vet Center Outstation.

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.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

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

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

LIEUTENANT COMMANDER VICTORIA MARUM

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

Ms. ROS-LEHTINEN. Madam Speaker, I rise today to recognize and congratulate Lieutenant Commander Victoria Marum on her separation from the United States Navy after 11 years of faithful service to our country.

An esteemed member of the United States Navy, Lieutenant Commander Marum most recently served as the liaison in the Navy's U.S. House of Representatives Liaison Office.

I was so grateful for Victoria's guidance during delegations that I was so proud to lead abroad, as she always handled stressful situations and difficult individuals—I won't name names—with poise, humor, and resourcefulness.

The talent she exhibited on Capitol Hill will serve her well on every path upon which she finds herself in the future.

As Lieutenant Commander Marum embarks on a new chapter in her life, it is my hope that she may recall with a deep sense of pride and accomplishment the outstanding contributions she has made to the United States Navy, to the United States Congress, and to our great Nation, even though she is a Florida Gator.

1918 FLU PANDEMIC

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

Mr. PAYNE. Madam Speaker, flu season is upon us, and I rise today to raise awareness about the 100th anniversary of the deadliest medical catastrophe in history: the 1918 influenza pandemic.

100 years ago, the flu took the lives of more Americans in 1 month than in the entirety of World War I.

The 1918 flu pandemic lasted for 15 months. During that time, the average American's life expectancy dropped by 12 years.

100 years later, there are still many outstanding questions about the flu pandemic, but what is certain is that the flu virus still poses an undeniable threat to our Nation.

Last year, an estimated 80,000 Americans died from the flu.

Investing in research and development for novel antivirals and ensuring people get the flu vaccine is crucial to protecting our Nation from another flu pandemic like the one we faced 100 years ago.

RECOGNIZING GIVING TUESDAY

(Mr. THOMPSON of Pennsylvania asked and was given permission to ad-

dress the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today on "Giving Tuesday" to recognize the importance of charitable giving, especially during this time of year.

With the Christmas and holiday season upon us, we recognize and celebrate many blessings. As we reflect on all that we have achieved and accomplished, we must also remember the less fortunate among us.

"Giving Tuesday" began in 2012 as a day to encourage charitable giving on the heels of shopping-focused days like "Black Friday" and "Cyber Monday." It is a dedicated day to give back.

Americans are compassionate people who care about their neighbors on "Giving Tuesday" and all year long. Through monetary donations or gifts of time through volunteering, we are always finding ways to give back to our communities.

But today, on "Giving Tuesday," we find ways to lift up our fellow citizens. These acts of kindness and generosity highlight our American values. The best way to celebrate your blessings is to share them with others. No gift is too small and no gesture too insignificant to someone in need.

It is the American way.

NATIONAL ADOPTION MONTH

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

Mr. LANGEVIN. Madam Speaker, as cochair of the Congressional Caucus on Foster Youth, I rise to recognize November as National Adoption Month.

All children deserve the love and security of a forever family. Unfortunately, this is not a reality for too many children across the country.

More than 123,000 children are waiting right now to be adopted from foster care in the United States. Those who reach adulthood and exit care without a family are far more likely to experience bouts of homelessness and unemployment, among other negative outcomes.

Madam Speaker, who among us would have succeeded without the love and support of our families to be there for us, whether it was the family we were born into or the family we make.

Madam Speaker, we must ensure that every child has the family they need to thrive. Adoption provides this pathway.

On November 17, 19 Rhode Island families celebrated National Adoption Day by finalizing the adoptions of 23 children.

I would like to honor these families and others who open their hearts to children in need. There is no greater gift than the gift of a forever home.

CONGRATULATING THE CHAMPLIN PARK CHAMPS

(Mr. PAULSEN asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. PAULSEN. Madam Speaker, I want to congratulate the Champlin Park Rebels girls volleyball team on winning the Minnesota State High School Championship, the first team in school history to bring a championship trophy back to Champlin Park.

Their victory came after outlasting a very talented Eagan team, playing in its sixth consecutive state final. But the Rebels were just too much for them, starting strong and then never looking back.

The pressure was on for the Rebels to win their school's first ever state title, and they delivered every step of the way. They showed the kind of true determination that makes them champions both on and off the court.

So, Madam Speaker, congratulations to these student athletes, the coaches, their parents, and all of the fans, and the entire Champlin Park community on a well-deserved, hard fought win becoming state champions.

□ 1945

REAUTHORIZATION OF THE NATIONAL EARTHQUAKE HAZARDS REDUCTION PROGRAM

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

Ms. JAYAPAL. Madam Speaker, I rise today to say how pleased I am that Congress has reauthorized the National Earthquake Hazards Reduction Program, or NEHRP.

I am grateful to Senator FEINSTEIN, as well as my colleagues in the House—Representatives ROHRBACHER, KNIGHT, and LAMAR SMITH—for their leadership in bringing this forward. This has been an important issue to me since I was in the State senate, given my State's—Washington State's—geography and the serious threats that we face from earthquakes.

NEHRP reauthorization is the very first step to ensure that our States have the resources they need to prepare for earthquakes, States like mine that have been anticipating a catastrophic earthquake for many years.

As we have watched tragedies unfold around the world, it is clear that we have to do everything we can to build resilience so that when earthquakes inevitably strike, our communities are as prepared as they can be. This reauthorization will ensure that all of our communities are able to improve their building standards, have early warning systems, and have better monitoring for seismic activity.

I hope this bill will be one of many, and that we continue to build on this progress to ensure ample investment to build resilience, in particular for schools and hospitals. I look forward to working with my colleagues to push this forward in the next Congress.

CONGRATULATING THE RIDGE POINT PANTHERS VOLLEYBALL TEAM

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

Mr. OLSON. Madam Speaker, all Texans know that our stars are big and bright at night. But lately, 16 stars have been the biggest and brightest ever seen in Fort Bend County.

Here they are. These stars' names are Alana, Britney, Karly, Taylor, Tiana, Randee, Skylar, Charlie, Claire, Reagan, Baleigh, Nia, Tyler, Lindsey, Kendall, and Peyton. They revolve around a star called Coach Lori McLaughlin. They are the 2018 Ridge Point Panthers volleyball team.

We are so proud they are State runners-up in volleyball in Texas: 47-6 was their record, 14-0 in district play. They have a warning for 2019 and beyond: The Panthers are still hungry and will be back. You can count on it.

GENERAL MOTORS IDLE

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

Ms. KAPTUR. Madam Speaker, how troubling it is that General Motors has announced it is idling five major auto plants across the United States and Canada. At the Chevy Cruze plant in Lordstown, Ohio, facility alone, 1,600 jobs are on the chopping block. The dire impact in Ohio surges to 5,000 more potential lost jobs when auto part suppliers are considered.

President Trump promised to defend manufacturing. He promised to cure the red ink of manufacturing job loss and wage-crushing trade deficits. Under him, both are getting worse. Instead, his party enacted deficit-busting corporate tax giveaways with the Republican tax scam. Where do the automakers intend to invest their bonanza? Not here.

Time and time again, American taxpayers and workers have been asked to help the U.S. automakers. This latest move from General Motors is an affront to their investment.

President Obama and congressional Democrats refinanced the ailing American auto industry in 2009. Democrats saved American manufacturing while the vast majority of Republicans voted no.

Madam Speaker, we need fair trade to open markets and create jobs here at home.

RELIST JEWISH-OWNED HOMES ON WEST BANK IMMEDIATELY

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

Mr. GAETZ. Madam Speaker, I rise today to express our support for our great ally, Israel, and also to share my

concern about a recent decision from the company Airbnb.

On November 20, Airbnb made the decision to delist about 200 Jewish homes in the West Bank. This decision is a win for the boycott, divestment, and sanctions movement, the BDS movement, which is blatantly anti-Semitic and consistently targets businesses that are operating in Israel.

As a Representative from northwest Florida, I am proud to serve a State that has stringent BDS laws. I am incredibly proud of Governor-elect RON DESANTIS for sharing his concern and for stating unequivocally that if Airbnb continues to engage in BDS activities, they have a right to speak, but they will hear from all of us very soon.

CONGRATULATING WESTERN HIGH SCHOOL

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

Mr. CORREA. Madam Speaker, I rise today to congratulate the Western High School Pioneers on their first-ever CIF football championship.

Since Western High School opened its doors in 1955, the Pioneers have never won this coveted prize. Now, 63 years later, Coach Dan Davidson put together a very talented team that finally won CIF.

Having grown up in Anaheim, I have seen many, many talented Western High School football teams come and go, but I have to tell Coach Davidson: Congratulations. Job well done.

Again, congratulations to the Pioneers, to the parents, and to the student body: Job well done. Congratulations. We are all proud of you.

CLIMATE CHANGE

The SPEAKER pro tempore (Mr. GIANFORTE). Under the Speaker's announced policy of January 3, 2017, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, I wanted to move to the subject of climate change, however, my colleague, TERRI SEWELL, has reminded me that a very important organization needs a few moments, so I yield to the gentlewoman from Alabama (Ms. SEWELL), to speak about the Stennis Center.

RECOGNIZING REX BUFFINGTON

Ms. SEWELL of Alabama. Mr. Speaker, I rise today in recognition of Rex Buffington, for his life's work as executive director of the John C. Stennis Center for Public Service Leadership since it was established 30 years ago.

I again thank the gentleman from California for yielding me this time. I am joined here tonight by my fellow board members of the Stennis Center as we speak about the retirement of the executive director, Rex Buffington.

For more than 30 years, the Stennis Center has taught, inspired, and

trained our Nation's young people through programs such as debate, women's leadership initiatives, and Truman Scholars. Thanks to the leadership of Rex from the very beginning, their work has had a powerful impact on our Nation's leadership, mobilizing a generation of dedicated public servants and community leaders.

I am happy to share with Rex not only our southern roots—he is from Mississippi and I am from Alabama—but our mutual love for debate and our dear friend, my former high school debate coach, Coach Billy Tate. Coach Billy Tate, my high school debate coach at Selma High School, was instrumental in the creation of the John C. Stennis Novice Speech and Debate Tournament.

I know that my life's journey would not have been possible if it had not been for my high school debate experience. I know that the Stennis Center's debate program is just one of the many ways young leaders across this country are being equipped with the invaluable tools necessary for leadership.

Rex knows that it is the people behind our democracy that makes democracy work. He has been quoted as saying: "No government, regardless of its history or structure, can be better than the people who make it work."

I agree with Rex. When we have programs aimed at attracting thoughtful, committed, and honest leaders to public service, we get good policy in the end.

While I am disappointed to see Rex's time as executive director come to an end, I know that his leadership has set the groundwork for another 30 years of success in attracting young people of character to public service.

The impact that Rex has had has been enormous, and I thank him.

Mr. GARAMENDI. Mr. Speaker, I yield to the gentleman from Mississippi (Mr. HARPER).

Mr. HARPER. Mr. Speaker, on behalf of the United States House of Representatives and the Board of Trustees for the John C. Stennis Center for Public Service Leadership, it is with great gratitude that we honor Rex Buffington for his many years of distinguished public service.

Rex Buffington was appointed executive director of the John C. Stennis Center for Public Service Leadership when the center was established in 1988 to promote and strengthen public service leadership in America.

As executive director of the Stennis Center, Rex has been responsible for development and delivery of programs aimed at attracting young leaders to public service and providing current public service leaders with opportunities to further develop their leadership skills and capabilities. Participants in Stennis Center programs range from students in high school to Members of Congress.

Prior to his work at the Stennis Center, Rex served as press secretary to Senator John C. Stennis of Mississippi

for 12 years. As the Senator's chief spokesperson, speechwriter, and communications director, Rex coordinated activities and strategies aimed at achieving the Senator's mission and legislative agenda.

I am so honored to serve as chairman of the board of trustees for the John C. Stennis Center for Public Service Leadership. I have seen what Rex has done firsthand, and it has been a privilege to work directly with him.

Rex is an encourager of every person that he comes in contact with. He knows better than anyone the legacy of Senator John Stennis who served Mississippi and our Nation with great distinction for over 41 years as a U.S. Senator, ultimately becoming President pro tempore.

President Reagan once called the Mississippi Senator "an unwavering advocate of peace through strength."

Senator Stennis had a passion for fostering leadership and promoting public service, two objectives that Rex has carried forward during his time serving as executive director.

The USS *John C. Stennis* aircraft carrier, the only one not named after a President, has the two-word motto adopted by Senator Stennis that he had: Look Ahead.

Senator Stennis would be proud of the work that Rex Buffington and the John C. Stennis Center for Public Service Leadership continue to do, and he would be proud of the great work that Rex has done.

We are all very proud of the great work that he has done over these years of distinguished service to Mississippi and to our Nation. We congratulate him on a job well done, and we wish him the best as he looks ahead.

Mr. GARAMENDI. Mr. Speaker, I yield to the gentlewoman from Alabama (Mrs. ROBY).

Mrs. ROBY. Mr. Speaker, I thank my colleague for his generosity in yielding a few minutes for this very important moment.

Mr. Speaker, I rise today to pay tribute as well to a true public servant, Rex Buffington. Rex has dedicated so much of his professional life to supporting leaders in this country, most recently, as you have already heard, as the executive director of the John C. Stennis Center for Public Service Leadership, where he has served admirably since the Stennis Center's establishment in 1988.

After many years of encouraging new leaders and supporting existing ones, Rex is retiring. His tireless efforts will be greatly missed, but I know I speak for many who know him in saying we are proud of him and we are confident that his next chapter brings more wonderful milestones.

Mr. Speaker, I would like to take this opportunity to thank Rex. His work for the Stennis Center has positively impacted American leaders from all generations and walks of life, from high school students to the Members of Congress who walk these halls today. I

know this firsthand because I am one of those Members that he has impacted.

I wish Rex, John Gavin, and Catherine great success in the road ahead. He will be missed, but his impact will be felt for many years to come.

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Mr. GARAMENDI. Mr. Speaker, I thank Mrs. ROBY, Mr. HARPER, and Ms. SEWELL for bringing to our attention one of the important organizations that develops leadership here in the United States, and, obviously, from the two of you, Mrs. ROBY and Ms. SEWELL, who are perfect examples of the success of the center.

CLIMATE CHANGE IS REAL

Mr. GARAMENDI. Mr. Speaker, we will turn to another topic, I think, of interest, if my colleagues would just excuse me for a moment.

I always try to start these sessions with purpose. What are we all about here? And I often use this from Franklin Delano Roosevelt, and he said: "The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little."

While I always use this, I am trying to figure now, how does this figure into climate change? What would the words of Franklin Delano Roosevelt have to do with climate change in the era of greenhouse gas emissions?

I thought about it for a while and I said, it may be difficult to make the connection, but there really is one. And I really want to start with this: What is our purpose here?

If we think about climate change, we are going to have to understand and read and pay attention to this. This is the cover of an extraordinarily important document that the Federal Government, the Government of the United States of America, issued last Friday when most of America was out shopping, Black Friday.

Now, maybe there is some reason that the administration chose to issue this critical report on that day. If it was to bury the report, they are not going to be successful, because this document, required by Congress over the last 20-plus years, gives a clarion call to every human being on this planet today.

That clarion call is so important that, on this first day following Thanksgiving and the issuance of this report, we brought it to the floor of the House of Representatives to alert this Nation that, despite trying to hide this report on Friday, it is now part of the public record.

We need to understand what the impact of climate change is on all of us today, Americans, and to generations into the future. The impact is stark. It is heavy. It is ominous. And it is already happening.

The front page says: Fires. I am from California. We know about fires. This is a month ago, fires in California, all of

these at one time: the Mendocino Complex in my district, the largest single wildfire in California's history; the Sierrras, down in the southern valley; and the smoke from the Camp fire, burning more than 1,000 homes on this day; smoke covering nearly the entire State of California.

Are those fires the result of climate change? The answer is absolutely, yes—the extensiveness, the severity, and the number of acres burned.

More familiar, perhaps, and more recent, just days after those fires that I just put up there, this one happened. Eighty-four people are known to have perished in the Paradise fire, the most mass casualties in recent history in the United States. Unfortunately, there are still a couple hundred people unaccounted for.

Is this fire a result of climate change? Yes, it is—the intensity of the fire, the rapidity with which it tore through the forest and wiped out an entire town of 26,000 inhabitants. Fourteen thousand residences were burned out in this fire. There is more to be said.

How about flooding? Port Arthur, Texas, a city that was flooded, and more along the Gulf Coast this fall. Another community was totally wiped out or near totally wiped out on the Florida panhandle. Massive storms ripped through the Caribbean and up into the United States.

Is flooding a result of climate change? The severity and the intensity of the flooding, certainly—North Carolina, South Carolina, Florida, and Texas. In California, we have our share of it also.

All of these are words laid out in this climate assessment: Economic losses today and into the future, perhaps \$141 billion over the next several decades from heat-related deaths alone; \$118 billion cost from sea level rise.

Do you live on the coast? The San Francisco Bay, Florida, a good portion of Florida, Miami, the Everglades, the East Coast, all of it is affected by climate change.

We have a problem, folks. Are you interested in ecology? Are you interested in wildlife? Are you interested in forests? This was once a green forest in California.

We predicted in the mid-1990s, when I was given a task as the Deputy Secretary at the Department of the Interior to investigate and to anticipate what climate change would bring to America, we said there would be more fires, more intense fires. They would be more devastating. They would be larger. They would be faster.

We said there would be more flooding. We said the hurricanes would be even greater than in the past. We predicted that a city called New Orleans would flood. We predicted that a place called New York City would flood. And they both did a few short years after that report, as we prepared the United States for the Kyoto climate conference.

Coming out of that conference, the House of Representatives and the Senate of this great body denied the opportunity for the United States to join in the treaty that came out of that conference, and it got worse.

Forests of California, we predicted there would be a die-off. And, in fact, there is. This is just one small part of the massive die-off of trees that is occurring in the forests all across America, even into the Arctic regions.

Pay attention, America. Pay attention, Congress. Pay attention, Senate. And for heaven's sake, President Trump, please pay attention to the reality of climate change. It is here. It is a massive problem.

The U.S. military more than a decade ago predicted that wars would be breaking out because of climate migration, climate refugees. It is happening. It is happening around the world.

Read this assessment of what it means to America. We have an obligation. We, the 435 Representatives of the American people, have an obligation to address this crisis. It is not a crisis of the future. It is a crisis of today and the future.

Do we have the courage to do this? Do we have the courage to decarbonize our energy supplies? We have to find the courage. We have no choice.

Joining me tonight are people, Members of this House who share the commitment to address climate change.

Mr. Speaker, I yield to the gentleman from Illinois (Mr. SCHNEIDER), my friend from the city of Chicago, to join us and share with us his concerns.

Mr. SCHNEIDER. Mr. Speaker, I thank my colleague, Mr. GARAMENDI from California, for organizing this evening's conversation, but more importantly, for drawing attention to this critically important issue.

It is more than a little bit shameful that the administration chose to release the Fourth National Climate Assessment on Black Friday, a day, as the gentleman noted, when most families, most people, are focused on the Thanksgiving holiday. Some are shopping, and some are hanging out with their family and friends. But it was clear that this was an apparent effort by the administration to introduce this report at a time when people weren't paying attention.

Fortunately, people are paying attention to this issue. We are seeing it with the concerns people have watching the fires in California; the floods and hurricanes this summer or fall in Florida; last year, with the hurricanes and flooding in Texas, Florida, Puerto Rico, and the Virgin Islands.

The report that was released on Friday was a rigorous report, assembled by 13 Federal agencies and covering more than 1,000 pages of detailed analysis and data, highlighting the impacts we can expect over the next decades into the next century if action isn't taken.

Impacts include increased storms, flooding, devastation, mudslides from

the size of these storms; loss of physical property; incalculable human cost from loss of life and other damages; droughts that are leading to fires, crop failures, loss of arable land, not just in our country, but, literally, around the world.

The facts are clear. But, again, the Trump administration tried to bury this report, and the President himself says he does not believe the report.

Well, to put it simply, this is not about beliefs. This is about science. The facts could not be clearer. Climate change is a serious threat to our Nation. It is a threat to our economy, to our national security, and to the planet that we pass on to our children. We need to take action now before it is too late.

The report forecasts that more severe storms, droughts, coastal flooding, and other climate effects could reduce the size of the American economy by 10 percent before the end of the century, almost doubling the impact to our economy of the Great Recession of 2008.

The recent fires in California were exacerbated by climate change, and more fires are forecast in the Southeast and throughout the West, if action isn't taken.

The agricultural Midwest, from where I come, will be particularly hard-hit. This report forecasts the farming sector could lose so much productivity that the crisis of the 1980s could even seem tame. We need to do something.

On the national security front, we will be affected. The report says that climate change variability and extreme events, in conjunction with other factors, can exacerbate conflict around the world, as we have already seen. Droughts, floods, storm surges, wildfires, and other extreme events stress nations and people through loss of life, displacement of populations, and impacts on livelihoods, the report continues.

While the White House refuses to make climate a priority, I am heartened that the Pentagon continues to treat this threat with the seriousness it deserves and focuses on it as a national security crisis.

This is a global challenge. It can only be met with a global response.

□ 2015

It needs the people of the world and the nations of the world to come together. This is literally a call to action for all of the people of the world. That is the power that was behind the Paris climate accord where every nation has come together and said: We must act, and we must act with urgency.

The world needs American leadership, and, sadly, this administration is turning away from that responsibility and that obligation. But thankfully, we are seeing many cities, communities, States, and even business leaders saying: We are in. We are not going to step away.

The Trump administration continues to say: We are walking away.

The Trump administration, in fact, continues to make matters worse. They rolled back the Clean Power Plan to slow our transition away from dirty forms of energy. They have undercut environmental regulations to limit methane pollution. Most significantly, last year, the President announced he was withdrawing the United States from the Paris climate agreement.

Climate change is a global problem that requires global solutions, and American leadership must play a role. We must stay within the Paris accord.

There is still time to fix this problem if we take action today. If we come together as a nation and if we come together as a world, then I hope we can do that in this body. I hope we can do this as a nation, and I hope this country can continue to lead to make sure that we pass on to our children an environment, a climate, and a world that is worthy of the legacy of our great Nation.

Mr. GARAMENDI. Mr. Speaker, I thank the gentleman so very much for his very forceful words and for the fact that he brought to the table not alternate facts, but real facts laid out by the scientists who put this together. We have a challenge, and I know, with the kind of leadership the gentleman is providing for all of us here in the House of Representatives and back in Illinois, we have no choice but to get this done—and we will.

Mr. Speaker, I would like now to turn to my colleague, Mr. PAYNE from New Jersey. We often are here on the floor together. I invite Mr. PAYNE to please join us, and we will talk about this issue as it might affect him and his constituents.

Mr. Speaker, I yield to the gentleman from New Jersey (Mr. PAYNE).

Mr. PAYNE. First, Mr. Speaker, I would like to start by thanking my colleague, Congressman GARAMENDI, from the great State of California for hosting this evening's Special Order hour on the threat climate change poses for our Nation and our constituents.

Mr. GARAMENDI has done a great service by hosting timely and important Special Orders throughout the 115th Congress. Today's Special Order hour is especially important, as it comes on the heels of the Trump administration's attempt to bury its own climate change report and only a day after devastating fires in California were contained.

Because of global climate change, the United States is going to suffer from more frequent and more devastating disasters like Superstorm Sandy, which caused massive flooding in my State in 2012 and the Camp fire, which is the deadliest and most destructive in California's history.

Considering that Donald Trump thinks that climate change is an international conspiracy, a hoax concocted by the Chinese, it came as no surprise to me that he has released his own administration's climate change report

on Black Friday when people are out with their families shopping and not paying attention to what is going on in the news.

The U.S. climate assessment is damning. It gives President Trump and his GOP allies no cover to proclaim that climate change isn't real. The report took our country's top climate scientists 4 years to research and write. It is more than 1,000 pages long and represents work done by 13 Federal agencies.

One of the authors, Katherine Hayhoe of Texas Tech University, summarized the evidence like this: Climate change is happening here and now.

If the United States does not act fast, the effects of climate change are only going to get worse for the American people. We already have to deal with increasingly frequent and deadly wildfires, hurricanes, and extreme weather events. That is going to get worse if we don't curb greenhouse gas emissions that are impacting our climate. Climate change also means that some areas will see more rains and more flooding.

Our Nation's infrastructure is already suffering from neglect, as we have had a Special Order hour on that in the past. The American Society of Civil Engineers gives our infrastructure a D-plus.

The stress of more frequent and intense rain, flooding, and heat is likely to cause a great deal of damage to our already frail infrastructure. Flooding will overwhelm and erode our roads. It will stress and possibly bring down bridges. We will have to shut down major roadways, railways, and ports. People's lives and their livelihoods will be at risk.

For my district in New Jersey, the economic impact will be devastating. My constituents work at Port Newark, the busiest in the East. They travel to and from jobs in New York City through the Nation's busiest tunnels and bridges, which are already overwhelmed. They live on or near the water.

Our national infrastructure just wasn't built for the kinds of extreme weather we can expect if climate change goes unchecked. I have no doubt that the people of New Jersey are resilient, but the longer our Federal Government takes to address climate change, the more difficult it will become to adapt.

But it is not just our infrastructure that is at risk if we don't take action on climate change. If left unchecked, climate change is going to hospitalize and kill our constituents. According to the 2017 New Jersey Climate and Health Profile Report published by Rutgers University, air quality changes, such as increased ground-level ozone and fine particulate matter changes in the air, will cause a rise in respiratory illness, cardiovascular disease, and mortality. Extreme heat and increasingly frequent heat waves will exacerbate people's existing medical

conditions and cause more heat-related deaths. Changes to our ecosystem caused by increased humidity and higher temperatures will spread pests and infectious diseases.

The vulnerability will not be equal. The people most at risk are people least able to migrate to safety. The elderly, young children, and people with existing medical conditions, poorer residents, urban residents, people of color, and laborers are all the people who are most at risk.

The Trump administration and our GOP colleagues can keep their heads buried in the sand or they can work alongside countless people in government, academia, business, and civil society to mitigate the effects of climate change. To borrow a warning from a coauthor of the U.S. climate assessment: "It's absolutely not too late to take action. But costs will really start skyrocketing if we don't start reining in emissions."

Mr. Speaker, my Democratic colleagues and I are ready to pursue a greener future for our people. We are ready to transition to cleaner energy sources. We are ready to make sure auto emissions standards reflect 21st century technology. We are ready to make sure all Americans have access to clean air, clean water, and high-quality healthcare. The question is: Will our Republican friends join us?

Mr. Speaker, I want to once again commend Mr. GARAMENDI for always having these timely Special Order hours on issues that are critical to us at this time. The gentleman never misses a beat in terms of bringing issues to the floor that are relevant, important, and need to be addressed as soon as possible.

Mr. GARAMENDI. Mr. Speaker, in the gentleman's discussion, Mr. PAYNE hit upon a really important issue, and it relates to this. I brought this up because this is where I am coming from on public policy.

When FDR said that it is whether we provide enough for those who have too little, normally we think about this in terms of economics, we think about in terms of wages, living standards, and the like. But you hit this squarely, because it is those who have little who are going to be the first and most terribly impacted by climate change.

You talked about the vulnerable. You talked about the elderly, the young, the working class, and communities of color. Those who have the least will be the least able to adapt. They won't be able to afford the additional electric bill for air-conditioning. They are the most likely to get sick from the various new illnesses that will work their way into the American healthcare system. As the climate warms, we can expect to have more tropical, hot weather illnesses coming. We see it already. West Nile virus is the example that you gave.

So this is very, very relevant. I don't think FDR had in mind climate change when he talked about this. This is what

he talked about during the Great Depression. This is relevant today in the era of climate change not just here in the United States, but you look at the poor around the world.

For the population of Bangladesh, one of the poorest countries in the world, it is likely that 50 percent or more of that population will have to move because of sea level rise.

Ethiopia, where Patti and I served as Peace Corps volunteers, has always been plagued by famine as a result of the climate moving back and forth. It will get worse.

So do we provide enough for those who have too little? Across the world this is a key issue.

Joining me now is my colleague from California. He and I get to share the great Sacramento-San Joaquin Delta, the greatest estuary on the west coast of the Western Hemisphere.

Before I come to Mr. MCNERNEY, I am going to put up one of your favorite things here for him to look at, because I know this is what gets him really excited—clean energy systems. This has been his life's work, and he can talk about it. When he finishes, we will talk a little bit more about some of these.

Mr. Speaker, I yield to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Speaker, I thank the gentleman, my friend, for yielding.

I want to thank my colleagues here tonight, Mr. PAYNE, Mr. SCHNEIDER, and especially Mr. GARAMENDI, who has been an absolute fierce advocate for action on climate and other issues. He is untiring, and I really have a lot of respect and admiration for that.

Let me talk a little bit about the report first. This is a scientific report. It was created over a period of years by scientists. It is not an opinion paper. It is a paper that is based on facts, and it is based on modeling.

If you do modeling, then you know what happens is you create a model. You test it against the facts. You adjust the model. You test it against the facts. You adjust it, and you reiterate until your model is pretty accurate. Then you make predictions.

That is what has happened here. They have some very well-tested models that are predicting very bad things. So it is an important piece of scientific literature, and I think science should be at least involved in the decision-making in our great country.

Now, I think it is almost laughable that the administration tried to limit the exposure of this report by putting it out on Black Friday. I guess that didn't work because a lot of people are excited in a negative way about this report and what it says.

I think most Americans recognize that there is a problem here. Most all Americans recognize it, especially the millennials and the younger Americans. They know because it is going to affect their lives. Their lives are going to be directly affected more and more as we go forward, so they are very engaged in this issue.

I think everyone knows in their hearts that there is a problem here, but I think one of the things that is a challenge is: How do we move forward on this?

People don't like change. People like to assume that their lives are going to go on, and they will do things the way they have always done them. But I think one of the things they are worried about is jobs.

□ 2030

Well, let's talk about that for a second. Mr. GARAMENDI mentioned that I worked on windmills. I worked on windmills for 25 years. I climbed a lot of windmills. It is a pretty exciting thing to do. You are up there working on something that is cool. You are looking down on the natural environment around you. If I was a coal miner, I would say: That is a pretty good alternative to going down into coals mine and breathing dust as to go up on windmills—kind of cold sometimes—but to go up on windmills and work your heart out and create clean energy.

So another thing to think about is the number of jobs per energy produced. Renewable energies create a lot more jobs per unit of energy produced. That is an important consideration.

So why can't we move forward?

I think the economy is going to improve if we reduce our consumption of fossil fuels. It will create jobs. It will make the environment cleaner. We will have less health impacts than we are seeing from fossil fuels, from coal, from oil, and certainly see a lot less climate impacts.

There are a lot of really good reasons to move forward on this. I think if you can look at what America and the world would be like if we weaned ourselves off fossil fuels, it is a beautiful picture. We will have a lot of clean energy. We will have people employed. We will have people using electricity for transportation. We will have energy generated from windmills, solar, geothermal, and from all of these technologies that are there today that are economic and cost-effective. In fact, wind and solar are more than competitive with fossil fuels. You can produce more energy per cost of energy with wind and solar than you can with oil and coal.

They say natural gas is a great transition fuel, but if you only lose 2 percent of natural gas emissions in the process of creating energy, then you are already undoing the energy efficiency advantage of natural gas because natural gas methane is so effective as a climate change gas.

I think we have a lot to look forward to if we determine and decide that we are going to move forward with this transition.

One last thing. I want to say I have a challenge to the President.

Mr. President, we know that climate change is happening. If you want to go down as a great President, if you want to go down in history as someone that

changed history, as someone who changed history for the better, than embrace climate change action. Make a difference.

Mr. GARAMENDI. Mr. Speaker, before the gentleman leaves, I brought this up because I know that these wind turbines, these windmills are part of the gentleman's life. You spent, as you say 25, 26 years building these systems. I believe he was doing it in Altamont Pass in California, which is now part of his district and adjacent to mine.

It was 1978, 1979 that California passed the very first laws in the nation to provide a State tax credit for wind, solar, and conservation. I was the author of that law. The gentleman and I go back a long, long way here on this issue, Mr. Speaker, and we are not going to give up. As he said, it is about the next generation.

I have got here on my phone, which I know I cannot use on the floor, so I am not going to turn it on, but I have a picture of my 13th grandchild, who was born yesterday. It is those children, that young boy and his generation, that will either curse us or thank us. Thank us because we had the courage, we had the wisdom to attack this problem; or curse us because we didn't.

I believe that we have the wisdom. We have people like Mr. MCNERNEY who has spent his life working on this, both in the private sector and now in Congress. I thank him so very much for that determination to address this critical issue. I thank him for joining us tonight.

I have noticed the East-West show is back in town. Mr. TONKO and I started doing this 7 years ago. Climate change and energy issues were what we talked about back then. This was some of his work when he was working in the State government in New York City, as I recall. Not that he always talked about it on the floor, but he occasionally would point out that he was working, trying to create the new technologies that would address this problem. I thank him for joining us this evening.

Mr. TONKO. Mr. Speaker, I thank Representative GARAMENDI for leading us in this Special Order that speaks to an urgency.

More and more, people are beginning to recognize that it is within our responsibility to provide for the stewardship of our Earth, of the environment, and to pass it on to generations coming. As you just acknowledged the birth of a grandson, congratulations to Mr. GARAMENDI and his wife, Patti. It is important, it is incumbent upon us to do that.

When we see the denial and the disregard—the denial for science, for climate change as a concept; the disregard for the Earth, the environment, and for public health—it is troublesome.

Here we have in recent weeks heard about and presented the U.N. report through the IPCC, the international committee that looks at climate change, and they are indicating that

there is precious little time, if any, by which to act—a timeframe that is becoming more and more urgent.

It is so important for us to address the science of this issue, to look at the stats, to look at the data that is compelling, that speaks to everything from public health to job creation to a greening up of our thinking so that our policy and our resource advocacy will go toward what is a crisis situation.

Just very, very recent, we have witnessed a report on the climate that is under the auspices of the Trump administration where they have responded to the United States Global Change Research Program, a Presidential initiative started by President Ronald Reagan that incorporates, I believe, some 13 agencies and their thinking about climate change. Members of his own cabinet are recommending and advising and he is rejecting.

I simply don't understand how we can ask people to utilize their expertise, invest their time and energy into forecasting where we are going to be and where we are, acknowledging where we are, and the work that is needed, and then to walk away from that presentation based on facts and science and data.

You have witnessed at your end of the country what has happened with wildfires. I have seen 500-year storms three or four times over in a decade. So the nomenclature is even off target. We are witnessing tremendous damage, loss of lives, property damage, and farming impacts with very rich soil being washed away, erosion of our coastal zones. What more do we need to have as evidence?

The Department of Defense; the farming community; the business community; States like California, the gentleman's home state; and New York, my home State, get it. We pull out of a Paris accord because we are not going to be part of an international community—the only industrial nation to pull out of that accord?

It is revolting that we will not respond to this issue. As you indicated, we have been talking about this, we have been pushing this leadership since 2010 with the takeover of the House. We began our efforts in 2008 and 2009. We needed to continue to move forward. The efforts to go forward have been thwarted by a resistance to addressing this issue. I find it unacceptable.

As we look upon the next few weeks before we take over with the majority in the House, we need to set a very ambitious tone that will move us forward with a number of issues being addressed under the umbrella of climate change. We have witnessed what has happened out there with the economy. We have calculated the hundreds of billions of dollars that are impacted because of public health costs, the damage to property, and the like.

We need to move forward. We need to do this based on science and factual evidence that is available, that is at our fingertips. The time for denial is

over. The time for disregard is over. The time for action is now. And we need to move forward, even asking as ranker on the Environment Subcommittee of the Energy and Commerce Committee for hearings in this regard, just hearings so that we can take testimony and advance the cause of the action that is required. Those requests have been falling on deaf ears.

So we need to do better. We need to move forward with a sound plan and to understand that across the country more and more people are expressing their concern about climate change. They are witnessing it in the news every night. These wildfires have been greater in number, in severity. I believe this is probably the worst in history. So we need to do a lot more.

Mr. GARAMENDI. Mr. Speaker, Mr. TONKO said something a moment ago that I know will happen. He is presently the ranking member of the Environment Subcommittee of Energy and Commerce. In about 1 month I believe he is going to be the chairman of that committee. The hearings on this issue, the Fourth Annual Climate Assessment, will finally be heard and the issue will finally be before the Congress.

It has been 8 long years of denial by the Republican-led Congress and 2 years by the current President. I know that in his role—and I believe he will be the chairperson of that committee—he will make sure that America and the Congress know and understand this critical issue. I look forward to those hearings. I look forward to his leadership on it, and once again to be on the floor with the gentleman with what we fondly call the East Coast West-Coast program. We are back.

Mr. TONKO. Absolutely. Coast-to-coast this is an issue. We know that where there are innovative concepts, where there is an embracing of an aggressive agenda like in California, like in New York, there are ways to advance green energy, clean energy, innovation when it comes to efficiency, to make certain that those greenhouse gas emissions are addressed. It is within our control.

So the human activity here, the human element, yes, is driving some of this. I know there are those who say I believe in climate change, but not human-inspired. Whether or not you believe that to be true, is it so bad to make cleaner the air we breathe, safer the water we drink, remediate the soils we require? These are important factors that can grow significant jobs in research, prototype development, and in product design.

So let's move forward. The evidence is compelling. The temperatures have risen some 1.7 degrees Fahrenheit since 1901. That is major change. The warming, in large part, is due to human activity. The continuation of burning fossil fuels, adding to the greenhouse gas emissions out there, is unacceptable.

Sixteen of the last 17 years are the warmest years on record. And there are

those saying: Well, it's just a cycle. Well, that is a long stretch of time. There is no sign out there that it is going to stop. There is no pause there as a warning.

Basically, the science that we have today, technology continues to advance in a way that enables us to have shelf-ready opportunity, the cleverness, the intellect that we harvest in this country, the intellect that allows us to design and understand concepts like capturing waste heat so that we can get more energy out of traditional designs, is a way to advance this cause.

The green power that the gentleman just talked about with my fellow colleague from California, Representative MCNERNEY, these are real. They are not pie in the sky. They are happening as we speak. We just have to show the will and break the pattern that has been just too comfortable for us to go forward and say: Oh, well, it is greenhouse gas emissions. And, yes, there is a lot of damage out there, but that should be telling us we are already paying for greenhouse gas emissions, we are already paying for climate change, and we need to change that saga.

Mr. GARAMENDI. Mr. Speaker, indeed, we are paying for it in so many ways. I showed earlier the fires, the floods, the sea level rise that is already occurring, the storm surge that recently affected the Panhandle of Florida. All of these things are the reality of today. And it is not going to go away.

The gentleman cited several facts. This is one of our programs that we used 8 years ago. It is this slide. Eight years ago we used this in our Make It in America presentations and we talked about the wind turbines and solar. That is actually an electric bus made by a bus manufacturer in California, the Gillig company. They are using that. These electric buses are part of the future, as are electric cars.

□ 2045

All of these are the new jobs. These are the new technologies. These are where people will be going to work. So that is where the jobs are. These are jobs that won't be exported. These are American jobs. The maintenance of this, all of these things are available today.

The gentleman mentioned California. Yes, California is way out in front, really, competing with New York on who can be the best to decarbonize, to move away from it.

Unfortunately, the administration is going exactly the wrong direction. The President wants to do away with the mileage standards, the fuel mileage standards for automobiles, wants to reintroduce coal back into the economy, which is the worst of all energy sources. We don't need to do that.

We can do it. We have proven that it can be done, in California and other places, in other parts of the world. We cannot go backwards. We owe it to the future generations.

Mr. TONKO. Mr. Speaker, as Mr. GARAMENDI presented that panel with Make It In America, it reminds me that, as you solve this crisis, as you speak to carbon pollution, you are going across so many policy areas: economic development, transportation, health, job training, certainly science and technology, energy and commerce. All of these disciplines. It just travels across all of these areas of activity because the solution is multifaceted. We need to do that.

I talk to folks who will say: Gee, my newborn, or the youngest of our family, is struggling with asthma. And they are saying: I hear that asthma is up.

I say: Well, have you related it to carbon pollution?

The public health cost, the public health impact here is tremendous. So, as we work on this, we are allowing for policy in so many different areas to take hold so that we can go forward with an inclusivity that allows for a lot of work to be done, which generates jobs, oftentimes with research. And research equals jobs—sound, paying jobs.

Mr. GARAMENDI. Exactly.

Mr. Speaker, Mr. TONKO mentioned asthma. We Democrats campaigned on a better deal for the people, which I just happened to put up here: A better deal for the people.

We talked about healthcare. Asthma is a preexisting condition. We have a challenge to deal with the Affordable Care Act and the Republican attempt to reinstitute insurance companies being able to discriminate based upon preexisting conditions.

All of these things will tie back: job creation, new technologies, research, healthcare. All of this, in one way or another, comes back to this question of climate change. So we need to address it.

Mr. TONKO. Mr. Speaker, let me just address some of those that aren't as clearly connected.

Mr. GARAMENDI talks about the need to address public health and to address that bending of the cost curve for healthcare. Well, wellness is an important part. If we can reduce the number of asthma cases, we are doing a big share of the activity that is required.

Also, one would never expect, perhaps, that the Department of Defense would be out front on this issue. Why? Because they see a population boom around the world, and they see eroding land and crop failure because of drought.

Well, they see that as civil unrest. They see it as a situation that can be damaging to the world community. That civil unrest is of great concern to the Department of Defense.

So there are these dynamics that seem so disconnected from this overall topic of carbon pollution. And, yes, when people are faced with that direct question—Where are you on carbon pollution?—of course it is the logical thing: Reduce it. Reduce it.

It doesn't take that much of an effort. It takes the will to go forward and

relate to energy efficiency, relate to greening up our policy, relate to renewable energy, battery development as a linchpin that can provide more certainty and predictability. We have it within our capacity, and I am convinced we will move forward as a House come January addressing this issue that has languished for far too long.

Mr. Speaker, I again thank the gentleman for leading us in this discussion this evening. It is critical; it is vitally important; it will save dollars; and it will grow jobs.

Mr. GARAMENDI. Mr. Speaker, I thank Mr. TONKO very much for joining us.

This issue is about those of us who are here today, but it is, far more importantly, about those who will be in the future.

I want to dedicate this hour to a very special person, our new grandson, Grady Christopher Bardet, who was born yesterday afternoon.

Mr. TONKO. Congratulations.

Mr. GARAMENDI. He will live in the future, either a very good future that we and our colleagues here build for him, or one that is not.

To Faith and Eric Bardet, we love you. Thank you for this beautiful gift.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GARRETT (at the request of Mr. MCCARTHY) for today and November 28 on account of pressing duties.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly an enrolled bill of the House of the following title, which was thereupon signed by the Speaker.

H.R. 5784. An Act to designate the facility of the United States Postal Service located at 2650 North Doctor Martin Luther Jr. Drive in Milwaukee, Wisconsin, shall be known and designated as the "Vel R. Phillips Post Office Building".

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 3554. An act to extend the effective date for the sunset for collateral requirements for Small Business Administration disaster loans.

ADJOURNMENT

Mr. GARAMENDI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 51 minutes p.m.), the House adjourned until tomorrow, Wednesday, November 28, 2018, at noon.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 115th Congress, pursuant to the provisions of 2 U.S.C. 25:

SUSAN WILD, 15th District of Pennsylvania.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6929. A letter from the Deputy Secretary, Division of Swap Dealer and Intermediary Oversight, Commodity Futures Trading Commission, transmitting the Commission's final rule — De Minimis Exception to the Swap Dealer Definition (RIN: 3038-AE68) received November 15, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6930. A letter from the Chairman and CEO, Farm Credit Administration, transmitting the Administration's final rule — Margin and Capital Requirements for Covered Swap Entities (RIN: 3052-AD28) received November 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6931. A letter from the Chairman and Chief Executive Officer, Office of Secondary Market, Farm Credit Administration, transmitting the Administration's final rule — Organization; Funding and Fiscal Affairs, Loan Policies and Operations, and Funding Operations; Farmer Mac Investment Eligibility (RIN: 3052-AC86) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6932. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's Major final rule — Moral Exemptions and Accommodations for Coverage of Certain Preventive Services Under the Affordable Care Act (RIN: 1210-AB84) received November 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6933. A letter from the Assistant Secretary, Employee Benefits Security Administration,

Department of Labor, transmitting the Department's Major final rule — Religious Exemptions and Accommodations for Coverage of Certain Preventive Services Under the Affordable Care Act (RIN: 1210-AB83) received November 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6934. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's direct final rule — Revisions to Safety Standard for Portable Hook-On Chairs [Docket No.: CPSC-2015-0016] received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6935. A letter from the Regulations Coordinator, Office of Strategic Operations and Regulatory Affairs, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's final rules — Religious Exemptions and Accommodations for Coverage of Certain Preventive Services Under the Affordable Care Act [CMS-9940-F2] (RIN: 0938-AT54) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6936. A letter from the Attorney, CG-LRA, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Anacostia River, Washington, DC [Docket No.: USCG-2018-0473] (RIN: 1625-AA09) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6937. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to Testing Regulations for Air Emission Sources [EPA-HQ-OAR-2016-0510; FRL-9986-42-OAR] (RIN: 2060-AS95) received November 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6938. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final action — Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NNSR): Aggregation; Reconsideration [EPA-HQ-OAR-2003-0064; FRL-9986-47-OAR] (RIN: 2060-AP80) received November 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6939. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Outer Continental Shelf Air Regulations; Consistency Update for Massachusetts [EPA-R01-OAR-2018-0011; FRL-9983-52-Region 1] received November 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6940. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Azoxystrobin; Pesticide Tolerances [EPA-HQ-OPP-2017-0744; FRL-9985-45] received November 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6941. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Arizona Air Plan; Hayden Lead Nonattainment Area Plan for the 2008 Lead Standard [EPA-R09-

OAR-2018-0222; FRL-9986-31-Region 9] received November 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6942. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants and New Source Performance Standards: Petroleum Refinery Sector Amendments [EPA-HQ-OAR-2010-0682; FRL-9986-68-OAR] (RIN: 2060-AT50) received November 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6943. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Implementation of the 2015 National Ambient Air Quality Standards for Ozone: Nonattainment Area State Implementation Plan Requirements [EPA-HQ-OAR-2016-0202; FRL-9986-53-OAR] (RIN: 2060-AS82) received November 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6944. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Connecticut; Volatile Organic Compound Emissions From Consumer Products and Architectural and Industrial Maintenance Coatings [EPA-R01-OAR-2018-0099; A-1-FRL-9983-32-Region 1] received November 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6945. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Bacillus amyloliquefaciens* strain ENV503; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2017-0460; FRL-9985-98] received November 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6946. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Department's final rule — Air Plan Approval; AK: Fine Particulate Matter Infrastructure Requirements [EPA-R10-OAR-2017-0597; FRL-9986-49-Region 10] received November 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6947. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.3613 of the Commission's Rules Regarding Filing of Contracts [MB Docket No.: 18-4]; Modernization of Media Regulation Initiative [MB Docket No.: 17-105] received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6948. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Supply Chain Risk Management Reliability Standards [Docket No.: RM17-13-000] received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6949. A letter from the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Promoting Investment in the 3550-3700 MHz Band [GN Docket No.: 17-258] received November 13, 2018, pursuant to 5

U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6950. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Yemen that was declared in Executive Order 13611 of May 16, 2012, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

6951. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 18-44, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6952. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 18-45, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6953. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 18-39, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6954. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-058, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6955. A letter from the Acting Chair, Equal Employment Opportunity Commission, transmitting the Commission's Inspector General's Semiannual Report to Congress for the period ending September 30, 2018, pursuant to Sec. 5(b) of the Inspector General Act of 1978, as amended; to the Committee on Oversight and Government Reform.

6956. A letter from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's semiannual Inspector General's report for the period of April 1, 2018 through September 30, 2018, pursuant to Sec. 5 of the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

6957. A letter from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's Performance and Accountability Report for Fiscal Year 2018, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

6958. A letter from the Board Chairman and Chairman, Audit Committee, Farm Credit System Insurance Corporation, transmitting the Corporation's consolidated report, pursuant to the Federal Managers' Financial Integrity Act and the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

6959. A letter from the Director, Congressional Affairs, Federal Election Commission, transmitting the Commission's Fiscal Year 2018 Agency Financial Report, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

6960. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's Fiscal Year 2018 Agency Financial Report, pursuant to the Office of Management and Budget Circular A-136, Financial Reporting Requirements, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

6961. A letter from the Regulations Coordinator, Office of Strategic Operations and Regulatory Affairs, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's final rule — Moral Exemptions and Accommodations for Coverage of Certain Preventive Services Under the Affordable Care Act [CMS-9925-F] (RIN: 0938-AT46) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6962. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Hornblower Fireworks Display; San Francisco Bay; San Francisco, CA [Docket No.: USCG-2018-0847] (RIN: 1625-AA00) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6963. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Delaware River; Penn's Landing; Philadelphia, PA; Fireworks Display [Docket No.: USCG-2018-0711] (RIN: 1625-AA00) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6964. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Blue Angels Air Show; St. Johns River, Jacksonville, FL [Docket No.: USCG-2018-0232] (RIN: 1625-AA00) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6965. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; San Diego Bay, San Diego, CA [Docket No.: USCG-2018-0869] (RIN: 1625-AA08) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6966. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Fox River, Brown County Fireworks, Green Bay, WI [Docket No.: USCG-2018-0910] (RIN: 1625-AA00) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6967. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Columbia River, Cascade Locks, OR [Docket Number: USCG-2018-0998] (RIN: 1625-AA00) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6968. A letter from the Attorney, CG-LRA, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Tankers-Automatic Pilot Systems [Docket No.: USCG-2015-0926] (RIN: 1625-AC27) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6969. A letter from the Attorney, CG-LRA, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regula-

tions; Tchefuncta River, Madisonville, LA [Docket No.: USCG-2016-0963] (RIN: 1625-AA09) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6970. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Harmonization of Fire Protection Equipment Standards for Towing Vessels [Docket No. USCG-2017-1060] (RIN: 1625-AC43) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6971. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Allegheny River, miles 0.25 to 0.7, Pittsburgh, PA [Docket Number USCG-2018-0986] (RIN: 1625-AA00) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6972. A letter from the Attorney-Advisor, FHWA, Department of Transportation, transmitting the Department's final rule — Design Standards for Highways [Docket No.: FHWA-2017-0001] (RIN: 2125-AF72) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6973. A letter from the Senior Attorney-Advisor, Federal Highway Administration, Department of Transportation, transmitting the Department's final rule — Environmental Impacts and Related Procedures [Docket No.: FHWA-2015-0011] (RIN: 2125-AF60; 2130-AC64; 2132-AB26) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6974. A letter from the Paralegal Specialist, Federal Transit Administration, Department of Transportation, transmitting the Department's final rule — Environmental Impacts and Related Procedures [Docket No.: FHWA-2015-0011] (RIN: 2125-AF60; 2130-AC64; 2132-AB26) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6975. A letter from the Attorney, CG-LRA, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Drawbridge Operation Regulation; Hackensack River, Jersey City, NJ [Docket No.: USCG-2018-0110] (RIN: 1625-AA09) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6976. A letter from the Attorney, CG-LRA, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Duluth Ship Canal, Duluth-Superior Harbor, MN [Docket No.: USCG-2018-0181] (RIN: 1625-AA09) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6977. A letter from the Impact Analyst, Office of Regulation Policy and Management, Office of the Secretary (00REG), Department of Veterans Affairs, transmitting the Department's final rule — Presumption of Herbicide Exposure and Presumption of Disability During Service for Reservists Presumed Exposed to Herbicides (RIN: 2900-AP43) received October 29, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

6978. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Adjusted Applicable Dollar Amount for Fee Imposed by Secs. 4375 and 4376 [Notice 2018-85] received November 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6979. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rule — Income-Related Monthly Adjustment Amounts for Medicare Part B and Prescription Drug Coverage Premiums [Docket No.: SSA-2018-0041] (RIN: 0960-AI37) received November 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOWDY: Committee on Oversight and Government Reform. H.R. 2846. A bill to require the collection of voluntary feedback on services provided by agencies, and for other purposes; with amendments (Rept. 115-1043). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOWDY: Committee on Oversight and Government Reform. H.R. 3121. A bill to require the purchase of domestically made flags of the United States of America for use by the Federal Government; with an amendment (Rept. 115-1044). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOWDY: Committee on Oversight and Government Reform. H.R. 3154. A bill to amend the Inspector General Act of 1978 relative to the powers of the Department of Justice Inspector General (Rept. 115-1045). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOWDY: Committee on Oversight and Government Reform. H.R. 6777. A bill to amend chapter 3 of title 5, United States Code, to require the publication of settlement agreements, and for other purposes (Rept. 115-1046). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 3588. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide for management of red snapper in the Gulf of Mexico, and for other purposes (Rept. 115-1047). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 3608. A bill to amend the Endangered Species Act of 1973 to require publication on the Internet of the basis for determinations that species are endangered species or threatened species, and for other purposes (Rept. 115-1048). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 4731. A bill to extend the retained use estate for the Caneel Bay resort in St. John, United States Virgin Islands, and for other purposes; with an amendment (Rept. 115-1049). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6346. A bill to amend

the Endangered Species Act of 1973 to provide for consideration of the totality of conservation measures in determining the impact of proposed Federal agency action (Rept. 115-1050). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6345. A bill to provide for greater county and State consultation with regard to petitions under the Endangered Species Act of 1973, and for other purposes (Rept. 115-1051). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6365. A bill to establish the Treaty of Guadalupe Hidalgo Land Grant-Merced Claims Commission and other Federal policies for the restoration of land for hardships resulting from the incomplete and inequitable implementation of the Treaty of Guadalupe Hidalgo, to affirm Land Grant-Merced property rights protected by the Treaty of Guadalupe Hidalgo, and for other purposes; with an amendment (Rept. 115-1052). (Referred to the Committee of the Whole House on the state of the Union.)

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6678. A bill to direct the Secretary of the Interior to convey certain National Park Service land in Fairfax County, Virginia, to the Friends of the Claude Moore Farm (Rept. 115-1053). Referred to the Committee of the Whole House on the state of the Union.

TIME LIMITATION OF REFERRED BILLS

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

[Omitted from the Record of November 20, 2018]

H.R. 237. Referral to the Committee on Science, Space, and Technology extended for a period ending not later than December 28, 2018.

H.R. 2085. Referral to the Committee on Foreign Affairs extended for a period ending not later than December 28, 2018.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. KELLY of Mississippi (for himself, Mr. CHABOT, Mr. CURTIS, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. BALDERSON, Mrs. RADEWAGEN, Mr. FITZPATRICK, Mr. STIVERS, Mr. ROE of Tennessee, Mr. BERGMAN, Mr. DUNN, Mr. BANKS of Indiana, Ms. VELÁZQUEZ, Ms. CLARKE of New York, Mrs. MURPHY of Florida, Ms. KUSTER of New Hampshire, and Mr. PETERS):

H.R. 7169. A bill to transfer the responsibility of verifying small business concerns owned and controlled by veterans or service-disabled veterans to the Small Business Administration, and for other purposes; to the Committee on Small Business, and in addition to the Committee on Veterans' Affairs, 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. GROTHMAN (for himself and Mr. POCAN):

H.R. 7170. A bill to amend the Federal Power Act to require the consideration of invasive species when prescribing fishways, and for other purposes; to the Committee on Energy and Commerce.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself and Mr. SENSENBRENNER):

H.R. 7171. A bill to provide for a coordinated Federal research program to ensure continued United States leadership in engineering biology; to the Committee on Science, Space, and Technology.

By Mr. CLAY:

H.R. 7172. A bill to make technical amendments to chapter 3084 of title 54, United States Code, to correct references to the African American Civil Rights Network, and for other purposes; to the Committee on Natural Resources.

By Mr. DEUTCH (for himself, Mr. FITZPATRICK, Mr. DELANEY, Mr. FRANCIS ROONEY of Florida, and Mr. CRIST):

H.R. 7173. A bill to create a Carbon Dividend Trust Fund for the American people in order to encourage market-driven innovation of clean energy technologies and market efficiencies which will reduce harmful pollution and leave a healthier, more stable, and more prosperous nation for future generations; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESHOO:

H.R. 7174. A bill to amend the Internal Revenue Code of 1986 to allow certain veterans organizations to take into account the membership of spouses, widows, and widowers of members of the Armed Forces for purposes of determining tax exempt status; to the Committee on Ways and Means.

By Mr. GRAVES of Louisiana (for himself and Mr. POLIS):

H.R. 7175. A bill to amend section 805 of the Federal Lands Recreation Enhancement Act to provide for a lifetime pass for access to Federal recreational lands and waters, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, 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. KING of Iowa (for himself and Mr. BLUM):

H.R. 7176. A bill to amend the Internal Revenue Code of 1986 to reestablish the 15 percent corporate rate bracket; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 7177. A bill to amend title III of the Public Health Service Act and titles XI and XVIII of the Social Security Act to accelerate the adoption of value-based payment and delivery arrangements among health care stakeholders intended to coordinate care, improve patient outcomes, share accountability, or lower costs, and for other purposes; 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. REED (for himself, Mr. GOSAR, Mr. BRAT, and Mr. KING of Iowa):

H.R. 7178. A bill to establish a uniform and more efficient Federal process for protecting property owners' rights guaranteed by the fifth amendment; to the Committee on the Judiciary.

By Ms. BASS (for herself, Mr. COLE, Mr. GALLEGO, Ms. SEWELL of Alabama, Mr. KILMER, Mr. GRIJALVA, Ms. MOORE, Ms. JUDY CHU of California, Mr. KILDEE, Mr. YOUNG of Alaska,

Mr. DANNY K. DAVIS of Illinois, Ms. JAYAPAL, Mrs. DINGELL, Ms. MCCOLLUM, Mr. MULLIN, Mrs. TORRES, Mr. MARINO, Mr. LARSEN of Washington, Mr. KHANNA, Mr. LANGEVIN, Mr. O'HALLERAN, Mr. CÁRDENAS, Ms. NORTON, Mr. HASTINGS, and Mr. BEN RAY LUJÁN of New Mexico):

H. Res. 1159. A resolution commemorating the 40th anniversary of the Indian Child Welfare Act of 1978; to the Committee on Natural Resources.

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. KELLY of Mississippi:

H.R. 7169.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution, which provides Congress with the ability to enact legislation necessary and proper to effectuate its purposes in taxing and spending.

By Mr. GROTHMAN:

H.R. 7170.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (related to the general Welfare of the United States).

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 7171.

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. CLAY:

H.R. 7172.

Congress has the power to enact this legislation pursuant to the following:

Article I

By Mr. DEUTCH:

H.R. 7173.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution.

By Ms. ESHOO:

H.R. 7174.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. GRAVES of Louisiana:

H.R. 7175.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution of the United States of America.

By Mr. KING of Iowa:

H.R. 7176.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. PAULSEN:

H.R. 7177.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

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. REED:

H.R. 7178.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3. The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

Article I, Section 8, Clause 18. 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 the Constitution in the Government of the United States, or in any Department or Officer thereof.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 502: Mr. BUCHANAN.
 H.R. 719: Mr. LOUDERMILK.
 H.R. 795: Mr. STIVERS.
 H.R. 866: Miss GONZÁLEZ-COLÓN of Puerto Rico.
 H.R. 893: Ms. WILSON of Florida.
 H.R. 947: Mr. O'HALLERAN.
 H.R. 1017: Mr. GIANFORTE.
 H.R. 1374: Ms. BASS.
 H.R. 1409: Mr. LARSON of Connecticut, Mr. DESAULNIER, Ms. ADAMS, Mr. BERA, and Mrs. MURPHY of Florida.
 H.R. 1444: Mr. NEWHOUSE.
 H.R. 1567: Mr. MCCAUL.
 H.R. 1776: Mr. SEAN PATRICK MALONEY of New York.
 H.R. 1889: Mr. CICILLINE.
 H.R. 2161: Mr. EVANS.
 H.R. 2315: Mr. ARRINGTON, Mr. BUCK, Mr. CLAY, Mr. WELCH, Mr. COOPER, Mr. JOYCE of Ohio, Mr. WILSON of South Carolina, Mr. COLLINS of Georgia, and Mr. SHIMKUS.
 H.R. 2392: Ms. KELLY of Illinois and Mr. CARTWRIGHT.
 H.R. 2417: Mr. RICHMOND.
 H.R. 2472: Mrs. CAROLYN B. MALONEY of New York.

H.R. 2651: Mr. LOWENTHAL.
 H.R. 2946: Mr. TIPTON.
 H.R. 3148: Ms. MCCOLLUM.
 H.R. 3197: Mr. LAWSON of Florida and Mr. SUOZZI.
 H.R. 3513: Mr. BERGMAN.
 H.R. 3592: Ms. MCCOLLUM, Mr. MCEACHIN, and Mr. GRIJALVA.
 H.R. 3730: Mr. GIANFORTE.
 H.R. 3827: Ms. CLARKE of New York and Ms. ROYBAL-ALLARD.
 H.R. 3923: Ms. MENG.
 H.R. 3931: Mr. SERRANO.
 H.R. 4044: Mr. KIND.
 H.R. 4057: Mr. COHEN.
 H.R. 4253: Mr. POLIS.
 H.R. 4328: Mr. JOHNSON of Georgia.
 H.R. 4485: Ms. DELAURO.
 H.R. 4638: Mr. LAMBORN.
 H.R. 4691: Mr. TAKANO.
 H.R. 4693: Mr. TAKANO.
 H.R. 4732: Mr. PANETTA, Ms. WILSON of Florida, Ms. WASSERMAN SCHULTZ, Mr. SOTO, Mr. GALLEGU, Mr. SERRANO, Mr. DEFazio, Mrs. DAVIS of California, and Mr. STEWART.
 H.R. 5209: Mr. COHEN.
 H.R. 5244: Mr. NEAL.
 H.R. 5273: Mr. FASO.
 H.R. 5561: Mr. DELANEY.
 H.R. 5573: Mr. VISCLOSKY.
 H.R. 5595: Mr. PETERSON.
 H.R. 5911: Mr. CICILLINE and Mr. CROWLEY.
 H.R. 5924: Ms. MENG.
 H.R. 6016: Ms. WILSON of Florida and Ms. CLARKE of New York.
 H.R. 6085: Mr. NEWHOUSE and Mr. MICHAEL F. DOYLE of Pennsylvania.
 H.R. 6413: Mr. DELANEY.
 H.R. 6495: Mr. MOULTON.
 H.R. 6510: Mr. FERGUSON, Mrs. DINGELL, and Mr. HUDSON.
 H.R. 6543: Mr. LEWIS of Georgia and Ms. DELBENE.
 H.R. 6636: Mr. SENSENBRENNER.
 H.R. 6685: Ms. WILSON of Florida.
 H.R. 6700: Mr. FRANCIS ROONEY of Florida.

H.R. 6759: Mrs. NAPOLITANO, Mr. DEFazio, Ms. TITUS, Mr. KILMER, Mr. CORREA, Mr. BEN RAY LUJÁN of New Mexico, Mr. SEAN PATRICK MALONEY of New York, and Mr. GONZALEZ of Texas.
 H.R. 6813: Mr. FORTENBERRY.
 H.R. 6854: Mr. JONES, Mr. HUDSON, Mr. WALKER, and Mr. PRICE of North Carolina.
 H.R. 6876: Mr. AL GREEN of Texas.
 H.R. 6885: Ms. NORTON.
 H.R. 6903: Mr. GRIJALVA, Ms. NORTON, and Ms. LEE.
 H.R. 6983: Mr. CUELLAR.
 H.R. 6987: Mr. COURTNEY.
 H.R. 7037: Mr. GONZALEZ of Texas and Ms. WILSON of Florida.
 H.R. 7059: Mr. ROUZER and Ms. FOXX.
 H.R. 7086: Ms. BASS.
 H.R. 7127: Ms. BASS, Mr. NADLER, and Mr. COHEN.
 H.R. 7128: Ms. GABBARD and Mr. SOTO.
 H.R. 7129: Ms. GABBARD and Mr. SOTO.
 H.R. 7130: Ms. GABBARD and Mr. SOTO.
 H.R. 7141: Mr. GARAMENDI.
 H.R. 7142: Mr. PERLMUTTER.
 H.R. 7163: Mr. STEWART, Mrs. LOVE, and Mr. CURTIS.
 H. Con. Res. 138: Mr. LEWIS of Georgia, Mr. SCHIFF, and Mr. SERRANO.
 H. Con. Res. 141: Ms. JACKSON LEE.
 H. Res. 960: Mr. AGUILAR.
 H. Res. 973: Mr. BANKS of Indiana.
 H. Res. 1034: Mr. RUTHERFORD and Mr. BUCK.
 H. Res. 1121: Mr. SHERMAN.
 H. Res. 1130: Mr. LOWENTHAL and Mr. PASCRELL.
 H. Res. 1144: Mr. ROSKAM.
 H. Res. 1145: Ms. WILSON of Florida and Ms. SPEIER.
 H. Res. 1150: Ms. BARRAGÁN.
 H. Res. 1152: Mr. MARINO.
 H. Res. 1154: Mr. CARSON of Indiana.
 H. Res. 1156: Ms. GABBARD.



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No. 186

Senate

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of Stephen Alexander Vaden, of Tennessee, to be General Counsel of the Department of Agriculture.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

Mr. McCONNELL. Mr. President, I ask unanimous consent that following the cloture vote on the Kelley nomination, the Senate recess until 2:15; further, if cloture is invoked, all time during the recess counts postcloture on the nomination.

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

BUSINESS OF THE SENATE

Mr. McCONNELL. Mr. President, the Senate returned from our Thanksgiving recess and got back to work.

Since the election earlier this month, there has been plenty of prognostication about what the new Congress will bring, but I would rather focus on the one we are still involved in, and this Congress has more business to complete before the end of the year. Even after two historic years of accomplishments for the American people, there are still important items left to check off our list.

Yesterday evening, we voted to advance the nomination of Stephen Vaden, the President's choice, to serve as general counsel for the Department of Agriculture.

Mr. Vaden has strong legal credentials, both public and private sector experience, degrees from Vanderbilt and Yale, and he comes with an upbringing in agriculture. He grew up on his family's farm in Union City, TN—and according to the Tennessee Farm Bureau,

it shows. As my friend Senator ALEXANDER referenced yesterday, that organization wrote that Vaden has "a passion for agriculture that can't be taught, but that is necessary for the job" of general counsel.

It is hardly surprising, then, that this nominee received bipartisan support at the committee level, including the support of the ranking member.

What is surprising? The fact that since clearing the committee, Mr. Vaden's nomination has languished for 351 days, waiting for Senate Democrats to end their obstruction—long, even by the standards of this Congress. So I hope that each of my colleagues will join me in turning the page and voting to confirm Mr. Vaden later today.

Following the Vaden nomination, we will turn to consideration of Karen Kelley to serve as Deputy Secretary of Commerce. She is a graduate of Villanova. She has built a 35-year record of expertise in investment, management, and financial strategy.

She currently serves as Undersecretary—a position to which she was unanimously confirmed by the Senate—and oversees the Department's statistical programs through the U.S. Census Bureau and the Bureau of Economic Analysis. Ms. Kelley is already acting in the role to which she has been nominated.

Through this service, Ms. Kelley has earned the respect and esteem of her colleagues at the Department. Secretary Ross has said he is thankful to have such a qualified individual fill the position.

I hope my colleagues will join me in voting to advance her nomination today with a strong bipartisan vote.

As we look over the record of this 115th Congress, a number of accomplishments were made possible with significant bipartisan support—from landmark opioid legislation to major improvements in veterans' medical care and services, to our tremendous progress on appropriations and a lot more.

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Almighty God, awe and wonder grip us as we think about Your love, wisdom, and power. Thank You for choosing us to serve You and country. Guide us in our work and strengthen us for every challenge.

Lord, bless our lawmakers. Give them the wisdom to make a commitment to integrity. May they refuse to deviate from right paths, seeking always to accomplish Your purposes on Earth. Use them to help those whose hopes are crushed, who live on life's margins with no expectations of better times to come.

Remind our Senators each day of their accountability to You. May they press on with the duties of this day with hope in their hearts.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. TOOMEY). Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

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



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Our remaining work will require more of that bipartisan spirit when it comes to closing out appropriations, confirming more nominees, and other subjects as well. So let's continue the momentum and keep moving forward.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

RECOGNIZING A NEW CERES STATUE FOR THE VERMONT STATE HOUSE DOME

Mr. LEAHY. Mr. President, this Friday, November 30, at noon, Vermonters will be gathering to see a large crane carefully hoist a 14½-foot carved statue of Ceres, the goddess of agriculture, atop the newly gilded dome of the statehouse in Montpelier. I was born in Montpelier, and I am proud of this because it is going to be a great moment for our State and for everyone involved in the project, which has captured the attention of not only Vermonters but of those who have been following the project from great distances with the help of social media.

The new version of Ceres replaces a 1938 replica of the original statue that was removed last April after too many severe Vermont winters took a toll on the wood figure. Since that time, Vermont artists Jerry Williams and Chris Miller have been hard at work creating the new Ceres, first sculpting a model and then, out of a big piece of mahogany, they chiseled the final mahogany figure.

Marcelle and I and my sister Mary, along with David Schutz, had the pleasure of visiting the Vermont Granite Museum in Barre, VT, a few months back to witness Mr. Miller at work.

I am the grandson of two stone carvers. One of my grandfathers immigrated to Vermont from Italy. The other, my Irish grandfather, carved stone in Barre. So it was a thrill to see how Mr. Miller used the original tools of the trade.

He took raw wood and turned it into the fine details we now see, from Ceres' flowing robes to the distinctive veins in her hands. It was really remarkable to see this hunk of wood turn into a real person.

Both artists learned their techniques by studying in the studios of Barre's stone carvers. It is a specialized art that requires intense dedication, patience, skill, and practice. We are so fortunate that artists such as these have carried on a tradition that makes Vermonters proud.

It reminds me of the times as a child when I would go in and watch stone carvers at work in Barre, where my father was born, and watch them turn stone into pieces of pure art.

In this case they are using wood. Incidentally, the reason the statue is made out of wood instead of stone is

that wood weighs less, and there is only so much weight the dome can hold.

I grew up in a home across the street from the Vermont State House. Ceres was always in our sights. Walking to school, coming back from school, doing my paper route, and being out with my brother and sister and my parents, we would always see Ceres. She is a strong figure, one that befits a State where farming and soil and hard work are so closely linked to our lives.

Frankly, over the past few months, when I have been home in Vermont, going by the statehouse and seeing it without Ceres has been odd because it has always been part of my life. So this Vermonter and Vermonters like my wife Marcelle and others are going to be glad to have her back.

Mr. President, I ask unanimous consent that this November 10 article from the Barre, VT, Times Argus, profiling these two sculptors be printed in the RECORD.

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

[From the Times Argus, Nov. 10, 2018]

FOR THE LOVE OF CARVING: JERRY WILLIAMS AND CHRIS MILLER EARN GOVERNOR'S HONORS
(By B. Amore)

Jerry Williams and Chris Miller are united in their love of the ancient craft of carving. It is this common love that has brought them together as a team in creating the 14.5-foot statue of Ceres for the Vermont State House dome. This project, and their separate accomplishments, have won them the 2018 prestigious Governor's Award for Excellence in the Arts, which will be presented by Gov. Phil Scott at the State House Nov. 14.

Carving, a reductive process that was once part of every classical sculptor's training, has now become the purview of a discrete selection of artists in the United States. Barre, of course, is a mecca of stone carving, primarily in granite. Its community of skilled carvers who work in the monument trade, as well as executing large public art sculptures and making their own personal work, is a unique resource.

The native stone of the surrounding region, and the culture of carved sculpture, drew both Williams and Miller, albeit by different paths. Williams talks of attending the art program at Johnson State College and being the only one interested in learning clay sculpture. It was at a time when conceptual work and mixed media held sway in the art world, but he was interested in learning the basics of sculpture. In order to learn "real" sculpture at the source, he set up an internship with Frank Gaylord, who trained a generation of Barre sculptors. That internship turned into a job and a life in granite.

Eventually, Williams founded his own shop, the Barre Sculpture Studio. He talks of belonging to a "lineage" in the sense of the classical studio system that exists in Carrara, Italy, and that was brought to Barre and to the Vermont Marble Company in Proctor in the 19th century.

Generally, a well-known sculptor would create a model and the expert carvers in the sculpture studios would then execute it. "Youth Triumphant," a Barre monument depicting a young warrior pleading for world peace, was carved by Gino Enrico Tosi, Enrico Mori and John Delmonte from a model created by famous New York sculptor C. Paul Jennewein. Williams is one of the

few sculptors in Barre who creates his own model for a commission and then sees it through to execution in his studio.

Miller began woodcarving independently in 1976 while studying art at Southern Connecticut State University and Southern Vermont College in Bennington. Although he is largely self-taught, he worked with the sculptors Lothar Werslin and Billy Brauer of Vermont to hone his skills in drawing, sculpture, and anatomy. For his first 25 years as a working artist, he carved only in wood.

Living in Calais, in Barre's shadow, it was inevitable that Miller would eventually carve stone. Finding his way to the studios of several Barre sculptors, he learned the rudiments of stone carving, and since then has been working in wood and stone, doing both public commissions and personal work.

According to Miller, Williams' classical studies have enabled him to become one of the best figurative sculptors in Vermont. As Miller meticulously carves the Ceres statue in wood, he is constantly taking measurements from Williams' exquisite model.

Williams is a consummate artist and craftsman, and builds his models from the inside out, beginning with a metal armature, layered over with clay to create a nude body, then layering clothing on that. His knowledge of anatomy underlies the figure, giving it a much more realistic sense than most contemporary sculptors are able to achieve with less rigorous means. Miller's own anatomy studies enhance the liveliness of his carving so that there is an incredible flow to Ceres' robes—something that is very evident in the supine form that is near completion at the Vermont Granite Museum in Barre.

Miller's portraits in wood are incredibly sensitive. The character of the individuals shines through the seemingly obdurate material. Miller is imbued with a love of carving and speaks of feeling relaxed and joyous at the end of a day of work. His portrait piece "Stanley Fitch," complete with eyeglasses carved on the face, feels like an integral part of his subject's personality.

The elderly farmer, "Percy," and the couple, "Howard and Dot," are more expressive and personal than a photograph or a painting. The character of each person seems alive before our eyes, under Miller's sensitive strokes. The flow of the lines of carving, all done by hand, follow the form as intimately as a sculptor's fingers working clay. This is an extraordinary achievement and a real legacy creation for many generations.

Most of Miller's personal work in granite and marble is figurative. The female form seems to be of endless inspiration to him. He has also joined forces with other sculptors who have an ongoing project at the Millstone Hill Sculpture Park on the site of the old Websterville quarry. There is a plentiful supply of grey Barre granite, and one never knows when one of Miller's trolls or Hephaestus, the god of fire, might emerge from an old quarry block. Another popular work is a sculptural truck that Miller built, with community support, that resides in Maple Corner, Calais.

Miller doesn't see much of a difference between public and private work. He approaches them with the same spirit. With personal sculptures shown in galleries, he never knows where they will end up. With a public art piece, the area has to be researched, and the artist has to come up with an idea that is relevant. For one commission in Marion, Iowa, a bike-centric community, Miller designed a bike rack supported by granite gloves carved from the town's photos. One of his bike racks featuring gargoyles engaged in an eternal tug of war graces Barre's North Main Street.

Williams' approach to working with clients on public commissions is a genuinely collaborative one, whether he is working on a

memorial sculpture for a family grieving over the loss of their infant daughter or a 10-foot-high granite Teddy bear for Highland Park in Dallas, Texas. His *modus operandi* is consistently professional, beginning with drawings, moving towards a clay model, then the final execution in stone using diamond saws and pneumatic tools powered by air. For the Barre City and Elementary School, Williams chose to create a collection of free-standing Teddy bears tumbling playfully in one of the sculptural niches at the school.

Williams admits that the challenge of running a carving business and creating personal work is not an easy one. He's not sure that there is a "happy medium," and often feels that he is "stealing time" to make personal work. His personal work is often carved granite and mixed media. Two pieces that demonstrate this are "Argon," a split sphere, combining high polish and texture that contains a line of blue argon gas. "Neon," a linear piece with a mysterious, mask-like face, is illuminated with a center of red. Williams loves the effect of the light energy contrasting with the density of the stone. Other pieces are always representational, but not figurative. The work "Warm Gun" is a tour de force of softly draped fabric covering a form that reveals itself as a gun only after close inspection.

Williams and Miller belong to a group of sculptors who believe in collaboration. At times, an artist is awarded a commission and will come to Williams to create the model. If Williams or Miller needs help on a larger project, they may bring in one or two other carvers. Large-scale sculpture takes a cooperative effort, and it is this spirit of sharing between Williams and Miller that animates the Ceres project. They both tell of a chance meeting at LBJ's store in Worcester and discussing the requirements for the Ceres sculpture. It was that informal conversation that led them to the path of creating a proposal together to apply for the commission.

Williams was involved in the early days of the Barre Sculptors and Artisans Guild, a loose affiliation of Barre carvers who were also creating their own personal sculpture. What began as a Friday afternoon gathering to drink beer together at Gaylord's studio blossomed into a group that showed their work together. Their first show filled Williams' studio in 1986. Some of those carvers still participate in the annual Stone Show at Studio Place arts.

Williams also participated in the Burlington International Sculpture Symposium organized by University of Vermont professor and sculptor Paul Aschenbach. The intense six-week symposium resulted in a park on the site of the Moran Municipal Generation Station, which endured for 23 years. Local sculptors worked with sculptors from Japan, Germany, Czechoslovakia, Scotland, the Netherlands and Romania to create a people-friendly environment that has been temporarily dismantled and hopefully awaits a second installation in Burlington's redesigned waterfront area.

Sue Higby, director of Barre's Studio Place Arts (SPA), has supported the personal work of Barre carvers by hosting the annual Stone Show at SPA. She has also been a key mover in the execution of public projects in Barre, including developing and securing funding for the Stone Sculpture Legacy Program, which was supported initially by the Charles Semprebon Fund. It was Higby who approached Miller with the idea of creating a site-specific piece in a narrow space between Studio Place Arts and Barre City Place. The resulting "Unzipping the Earth," simultaneously a sculpture and a garden, was designed and executed by Miller, and won the 2014 American Society of Landscape Architects Merit Award for Public Places.

Both Miller and Williams are outstanding examples of the creativity and perseverance that marks sculptors who carve stone or wood. In dealing with an obdurate material, one has to have an eternally flexible attitude—a willingness to work with the stone, not in competition with it—a willingness to bend the carving to follow the flow of the grain of the wood or stone.

Vermont is fortunate to count these seasoned professionals among the ranks of its profuse community of artists. They are exemplars of artists who have followed their individual paths, and have succeeded in creating exceptional works of art in both the public and private sphere. They have given generously to their communities, and richly deserve the Governor's Award for Excellence in the Arts.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

BORDER SECURITY

Mr. CORNYN. Mr. President, next Friday marks an important deadline in funding the Federal Government. While we have been effective in passing appropriations bills that have funded 75 percent or so of the government, there is still a small but important portion left to be negotiated before we break for Christmas.

Part of the debate will be how we go about securing our border, especially as recently, several large caravans of men, women, and children have left their homes in Central America and made the long, dangerous trek to the United States via Mexico. The truth is that the caravans occur on a daily basis. Of course, most of that hadn't penetrated the consciousness of the American people because it took thousands of people en masse, in a big caravan, to actually get their attention and get the attention particularly of the President of the United States.

I bet it would surprise most Senators and most Members of the House to know that in 2017 alone, there were 396,000 people detained at our southern border—almost 400,000 people. These caravans, whether they are the large, massive caravans like we see in Tijuana or the minicaravans that occur daily in places like the McAllen sector for the Border Patrol—this is a big and important issue. But funding is only one piece of the puzzle when it comes to border security and the migrant crisis.

I would like to say that I was encouraged by a story that I saw in the Washington Post dated November 24 entitled "Deal with Mexico paves way for asylum overhaul at U.S. border." This article goes on to talk about a policy of "Remain in Mexico," where the Mexican Government has actually provided work permits and offered asylum to Central Americans transiting Mexico. Some of them have taken the Govern-

ment of Mexico up on those, but many of them want to come to the United States, understandably, and the problem is how to deal with these large numbers of asylum seekers. This development, if it proved to be accurate, I think represents an impressive change in policy on the part of the Government of Mexico in a very constructive sort of way.

I want to congratulate Secretary Nielsen, the Secretary of Homeland Security, Secretary Pompeo, and the entire Trump administration for undertaking this delicate and difficult negotiation because this really represents a sea change in the way the Government of Mexico regards the migrant crisis. In other words, it is not just our problem. They themselves regard it as part of the solution to this challenge.

But the truth is, we can't look at this issue like we are looking through a soda straw. I had reporters yesterday ask me "Well, what about what is happening at the bridge in Tijuana," as if that were the whole story. We can't narrowly focus on just one part and refuse to see the full picture, and that is what I want to talk about here briefly.

We won't secure our borders and we won't solve the migrant crisis or improve our asylum system by simplistically looking at the problem. We need to look at this as symptoms of a far more serious problem. This is especially true as the issue of migrants illegally crossing our borders is not new. It has been happening for a long time. It is only recently that there has been no new net migration from Mexico because of improved economic conditions there, and we have seen the flood of people coming up from noncontiguous countries, like those in Central America. But of course it started with the softening of our borders and the disregard of our Nation's immigration laws, and it has continued with the rise of crime and corruption across countries in Central America.

We need to secure our borders, to be sure. You would not think that would be a controversial statement, but apparently some of our colleagues view our efforts to secure our borders with ridicule. They act as though this is not a problem, that this is something all about the midterm elections. Well, the midterm elections have passed, the problem persists, and we need to do something about it.

We do need to partner with Mexico, as I mentioned a moment ago, but also the Central American governments to fight against the cartels and the gangs who are terrorizing these countries and affecting ours in such a negative way, in a way that will help address this migrant crisis that we are seeing symptoms of at the ports of entry in Tijuana, for example.

In Tijuana, about 5,000 immigrants made their way there, and more are on their way. The truth is, every time someone successfully penetrates our border by exploiting gaps in our immigration law or by illegally entering the

United States, it is an encouragement for more people to do exactly the same. Anybody who thinks that a caravan of 5,000 migrants coming from Central America is the last caravan that will attempt to penetrate our borders is engaged in a flight of fantasy because human nature ought to tell us that if it is successful, there are going to be more right behind them. We need to deal with this. We need to deal with the crisis that the Tijuana mayor has called a humanitarian crisis. That reminds me of what President Obama called the crisis of unaccompanied minors coming from Central America a few years ago when he was President; he called it a humanitarian crisis as well. We need to work together to try to solve it.

We know that this group of migrants isn't entirely made up of innocent asylum seekers fleeing poverty or violence in their home countries. The truth is, we haven't really been able to vet the people in the caravan. And that, of course, is one of the goals of our legal immigration system—being able to look at people as individuals and determine: Do you have a criminal record? Have you been deported previously for illegally entering the United States? It is true—I am confident that this mass of people does include people like criminals and other migrants who intend to exploit gaps in our immigration laws and some who have already been deported one or more times from the United States for violating our immigration laws.

I believe the United States is the most generous country in the world when it comes to legal immigration. We naturalize almost a million people a year, and we are the better for it. We have always considered ourselves to be a nation of immigrants but not uncontrolled illegal immigration. That is a recipe for chaos and danger. We have always been a nation that believed in some order, and the rule of law was important when it came to naturalizing people and becoming part of the great American family. We have always provided refuge to those who fled their countries based on persecution because of their religion or their race or their political orientation or their nationality or because they belong to a particular group. We expect those who enter our country to respect our sovereignty and the rules and laws of the U.S. Government. There is a process for coming into the country legally, and that is the process that should be followed here.

I might say that when a mob of migrants tries to break through the border barriers in Tijuana, it is fundamentally—in addition to everything else I said—unfair to the people who stood in line and tried to enter the country legally and waited their turn for them to break to the head of the line and try to enter by force.

Unfortunately, there are organizations that exploit our generosity and use our borders as a transit corridor for

all sorts of illegal activity, including drugs and human trafficking. Believe me, if you look at the trial that is occurring in Manhattan today, El Chapo, you can learn a little bit about the complex, big, lucrative business that being head of a drug cartel entails.

Unfortunately, transnational criminal organizations—another word for cartels—have overrun some of the legitimate governments in Central America, and it is no wonder that people are fleeing. Therein lies the root of the current problem. The cartels and the gangs have figured out that it is quite lucrative to traffic migrants to the United States. Based on what I have read, maybe \$6,000 to \$8,000 is paid to a drug cartel—one of these transnational criminal organizations—to transport a person from Central America to the United States. That is a pretty good, lucrative business. Unfortunately, it is illegal and dangerous too.

This is exactly the same business model that is used to transport drugs into the United States. Last year, according to the Centers for Disease Control, 72,000 Americans died of drug overdoses in the United States. About 50,000 of those were opioid-related. Some of those were fentanyl, a synthetic opioid. Some of those were prescription opioids. But a significant portion of those were heroin, and 90 percent of the heroin that makes its way into the United States comes from Mexico.

This is the dirty business of the cartels, these transnational criminal organizations—trafficking migrants and children and women for sex and illegal drugs. They are commodity agnostic—whatever will make them money, they will engage in, no matter how vile, how cruel, or how dangerous. They have no morality whatsoever and no regard for life at all. The cartels know we are a generous country and take full advantage of our gaps in border security and immigration laws. As long as we fail to address this issue, we are complicit in making these cartels richer. By our own inaction, we are facilitating their illegal and dangerous enterprise.

This is not just a problem with immigration or drugs or smuggling; it is about all of these issues combined. It starts with the reign of the cartels and gangs in countries like Mexico and countries in Central America. Gangs like MS-13 and Barrio 18 in Central America threaten the safety and stability of the people who live in those countries. They fill an endless circle of supply and demand and operate in a vacuum of power with impunity. But their terror does not stop at their border or our border. Like the mob we have seen on TV, they are crashing through borders and threatening our border communities. They are interrupting legitimate trade and commerce through the ports of entry.

We saw that the port at San Ysidro was shut down because it couldn't accommodate the mob of asylum seekers

and conduct legitimate trade and traffic at the same time. So it has a very real prospect of threatening to disrupt not only the U.S. economy and jobs but that of our Mexican colleagues as well. I think that is part of what has gotten the attention of the Government of Mexico. Their life blood is trade with the United States. If that is prevented because of the mobs of people coming across, trying to break through barricades and enter our country illegally, then that threatens that life blood and their economy.

My home State of Texas shares a 1,200-mile common border with Mexico, and about 40 percent of my constituents are of Hispanic origin. The communities along the Texas border are vibrant, and they rely upon the millions of dollars of legitimate trade that pours through our ports of entry. Texas is home to 29 air, land, and sea ports of entry. That is more than any other State in the Nation. About half of the U.S.-Mexico trade moves through a Texas port of entry.

As the volume of commerce that crosses our borders has tripled in the last 25 years, Customs and Border Protection has struggled to keep up with the staffing needs. The infrastructure is old and is being exploited, too, particularly by drug traffickers, who move their high-value cargo through the ports of entry.

Texans who live and work in those regions know they can't afford the cartels' continued exploitation of our flawed system. So we need to look at how we can address the thousands of migrants who look to cross our borders and the cartels who exploit our laws while we still protect legitimate trade and travel. Any solution we find must try to strike a balance between compassion for the migrants and respect for the rule of law and fundamental fairness to those who are doing it the right way.

I have taken, of course, numerous trips to the border to meet with the Border Patrol, and I have heard from many of them on this issue. When migrant caravans cross our borders, Customs and Border Protection not only has to deal with this massive humanitarian crisis, but it has to ensure that the cartels can't take advantage of opportunities that have been opened up by the fact that the Border Patrol is now consumed with trying to process children and families through the ports of entry in accordance with U.S. law. The cartels know that and take every advantage by moving their drugs through the ports of entry or between the ports of entry because they know the Border Patrol is otherwise occupied with paperwork and other distractions.

We need to work more closely with our allies in Mexico and Central America to keep commerce alive, which, as I said, is the lifeblood of the economy. By helping in Central America, we can begin to address the root problems that have forced many to flee.

At the same time, we need to secure our borders and protect our free trade.

As I said, if our ports of entry are clogged with thousands of migrants, legitimate trade comes to a standstill. That not only hurts our economy, particularly in border communities along the U.S.-Texas border, but also our southern neighbor's, Mexico.

The fact of the matter is the United States cannot alone bear the burden of this mass migration. We need our partners in Central America and Mexico to work with us to find solutions for these migrants, which is another reason I was encouraged by the article I mentioned in the Washington Post, which talked about the "Remain in Mexico" program as one way to begin to address some piece of this migrant crisis.

My friend HENRY CUELLAR, a Member of the House of Representatives, who represents border communities in South Texas, likes to say that we should focus on pushing back our borders. I think that is right. Border security ends at our border, but it starts in Central America and Mexico.

This week, the incoming President of Mexico, Lopez Obrador, will be sworn in. I hope to be at that inauguration on Saturday, December 1, in Mexico City. Soon-to-be-President Obrador said he is committed to dealing with the violence in Mexico that has been brought about by the cartels and gangs. I know the United States also shares a commitment to working with this new government in helping to reduce that violence.

Our two governments should continue to work closely together because our interests are aligned. Both of our countries want security, and we want the prosperity that comes from legitimate trade. Both of our countries want to see a decrease in the cartel and gang violence. Our relationship is an important one, and it must continue to be nurtured and to evolve because the gangs and the cartels surely will continue to adapt.

By partnering with governments in Central America and Mexico, we can help those countries in bolstering their economies, providing security for their people, and restoring the relationship between their communities and law enforcement to one that will be built on trust so that their people will feel safe again in their homes.

I stand ready to work with others on this issue, but neither I nor my Republican colleagues can do it alone. This will take a full bipartisan effort, and it is going to take a more serious approach than I have seen in some press accounts in which people want to focus, as with a soda straw, on one narrow aspect of the problem when it is much more complex and much more dangerous than that. So I would invite all of our colleagues to join us in enforcing our laws and securing our borders and protecting our economy by securing free and fair trade.

Those who say that by enforcing our laws one is somehow anti-immigrant are engaged in a slanderous lie. It is simply not true. Immigrants who come

to the United States legally, who have waited patiently in line, deserve the respect and deserve the reward of their complying with the laws on the books. Somebody who jumps to the head of the line and violates our laws, who has no respect for the safety and security of our border communities, and who wants to facilitate the business model that the cartels have, by moving poisonous drugs or migrants for employment or by trafficking children and women for sex, has no regard for our border communities, for the rule of law, or for those migrants who come to the United States legally and appropriately.

This is not a onetime crisis. You can't be against human trafficking but for allowing migrants to be used as human commodities and to freely enter our country illegally. It is the same people who are bringing them into the country. You can't be against the opioid and drug addiction crisis but for allowing the cartels to exploit our borders by exporting their poison. You can't sit back and say you want to help migrants who flee their countries but not engage in bipartisan solutions. You simply can't have it both ways.

I hope we will take another look at this humanitarian crisis, as the mayor of Tijuana is calling it and as President Obama called it a few years ago when we saw this flood of unaccompanied minors coming across our borders from Central America, and deal with it with the seriousness and the gravity that it deserves. I look forward to working with my colleagues both in the House and the Senate, as well as with the administration and our partners in Central America and Mexico, to find solutions that address the migrant crisis without abandoning the rule of law or opening our borders or encouraging others to ignore our immigration laws.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. DAINES). The Democratic leader is recognized.

GENERAL MOTORS

Mr. SCHUMER. Mr. President, first, I would like to talk about the unfortunate news we heard from General Motors.

Yesterday, General Motors announced it was closing five factories and laying off 15,000 workers. The news is a gut punch to workers in Ohio, Michigan, and Maryland. Our hearts go out to them and their families. Many of these people have labored for decades, and many in their families have worked at GM. I know this from our GM plants in New York. To lose your job when you have put so much into it, only to wake up in the morning and say, "my job is to make the best car possible," is a gut punch and worse.

We need to do more—a lot more—to encourage investments in American jobs, in American infrastructure, and to bring back manufacturing. What we don't need is more rhetoric from the President, who has made a whole lot of

promises but who has, unfortunately, failed to deliver for these workers.

Here is what President Trump said last year about manufacturing jobs in Ohio:

They're all coming back. . . . Don't move. Don't sell your house. . . . We're going to fill those factories up or rip them down and build new ones.

Here is what else he said:

If I am elected, you won't lose one plant. . . . You're going to have jobs again. You won't lose one plant. I promise you that.

President Trump promised people in the campaign that we would not lose one plant. A lot of people voted for him for that reason. Guess where he said we would not lose one plant. Guess where President Trump promised the people we would not lose one auto plant—in Warren, MI. It is one of the plants that is now slated to close. The words are a painful reminder of just how bankrupt many of President Trump's promises turn out to be.

Do you remember Carrier? The President swept into office and promised that Carrier would stay open, thanks to him. He had done a big rally, and 6 months later, Carrier had laid off hundreds of workers in Indiana and had moved its positions to Mexico.

This is what the President does. He makes big, bold, impossible promises without having much care for the results. Instead of overpromising, the President should roll up his sleeves and work with GM to prevent it from cutting jobs.

The American taxpayer has supported GM through tough times. Last year, the Republicans handed GM a windfall of \$150 million in its tax bill so GM could bring back money from overseas. It said it would do it and employ people. Well, it is bringing back money from overseas, but it is not employing people. That is what American companies are doing. GM pocketed the tax break we gave it and is closing up shop anyway—with nary a word from the President until after the fact.

I see my friend from Illinois here. We Democrats believe you don't give tax breaks to big companies unless they do something for their workers—not stock buybacks, but employ people, train people, pay them good wages, give family leave. The President gives corporate America—wealthy, big corporations—just what they wish but does nothing to protect workers, except to talk a lot.

So I would ask my friends in New York State and throughout the Midwest and throughout America—working families, the kind of people I came from: When are you going to understand that this man sells you a bill of goods? that this President talks a good game but never delivers on his promises? That is what Americans and working Americans, in particular, should understand about President Trump.

The awful closings from yesterday are terrible. They are a sad symbol of a President who has failed the American working people and given them a

lot of hot air and no real gains. Corporate America—the wealthy—are doing great. Working people—average Americans, people who sweat—get nothing. They are losing jobs.

We need more from this Congress than another tax cut for the wealthy, and the American worker needs more from President Trump than empty rhetoric. Just yesterday, he said: Well, there will be new plants. How many people are going to believe that? He has been saying that for 2 years.

CLIMATE CHANGE

Mr. President, last week, the Trump administration released an important report on climate change that warned of dire consequences by 2050—of devastating storms, hundreds of billions of dollars of damage, a massive drain on the economy. The fact that this administration released the report on Black Friday is wrong. It is an obvious attempt to bury the findings. But guess what. Even though he released them on the Friday after Thanksgiving, those findings were not buried. They were on the front page of every newspaper. Then, of course, while his own administration issued a very strong report on climate change, he said: “I don’t believe it.”

I have said it before, and I will say it again: President Trump and the Republican Party are like ostriches when it comes to climate change. They bury their heads in the sand as the world changes and as more and more of America and American workers are put in danger.

The Trump administration itself has reported on how devastating the costs of their policies will be for future generations of Americans. This report is going to live on day after day, month after month, and year after year. This is not a 1-day story. This is conclusive evidence by the President’s own administration of how bad climate change will be for incomes, for families, for workers, for farmers, and for cities. They can’t run away from it anymore. It is about time they face the reality and work with us to do something before it is too late.

This report will be in the news again and again and again. It will bolster those who are going to court to prevent the administration from undoing many of the things the previous administration did on climate change.

It is a turning point—a very significant turning point—in the war, which it is, to keep our globe from getting far too hot for everybody’s comfort.

NOMINATION OF THOMAS FARR

Mr. President, on the pending judicial nomination of Thomas Farr for a seat in the Eastern District of North Carolina, in his legal career, Mr. Farr has repeatedly defended efforts by North Carolina’s Republicans to undermine voting rights generally and disenfranchise African-American voters specifically.

This man was chief cook and bottle washer of the State that probably did more to prevent people, and particu-

larly minorities, from voting than any other State. It is so bad that the discriminatory congressional maps, drawn by the Republican legislature, which Mr. Farr defended, were struck down by the very conservative Supreme Court.

Mr. Farr defended North Carolina’s absurdly restrictive voter ID law, also passed by the conservative Republican State legislature, and they tailored their election laws to disadvantage African-American voters after requesting race-specific data on voting practices. The law was one of five changes to registration and voting, all of which—all of which—disproportionately affected African Americans. That wasn’t a coincidence; that was designed.

Mr. Farr called the provisions, which a Federal judge said “targeted African-Americans with surgical precision,” a minor inconvenience.

Finally, Mr. Farr was a lawyer for the reelection campaign of Senator Jesse Helms and may well have had preknowledge of a mailer sent overwhelmingly to Black voters, with the purpose of intimidating them from voting.

Partisan affiliation, my friends, should not matter in this debate. Voting rights are sacred. It is part of our soil in which the tree of democracy is nurtured. It shouldn’t be a Democratic issue or Republican issue. Taking away the voting rights of Americans, of whatever race, creed, color, party, or region is a despicable act. It cuts against the very thing that generations of soldiers have died for—the right of democracy, the right to vote.

Every Senator here, including our Republican friends, should be disturbed by the fact that Mr. Farr has been involved, often directly, in multiple attempts to disenfranchise minority voters.

What sticks in the craw is, we are voting on Mr. Farr only because Republican Senators—when we Democrats were in the majority and still respected the blue slip, they blocked two nominees, both African American, both women, to represent a jurisdiction that is 27 percent African American and doesn’t have a single African American judge, even though one-quarter of the people are African American. I don’t care what the ideology is here. Then, adding insult to injury, they are putting on the bench someone who would disenfranchise people, particularly people of color. It is a disgrace.

This morning I called Stacey Abrams and Andrew Gillum, both of whom were hurt by attempts to limit voting rights, and they issued the following statement together:

When it comes to the trifecta of voter disenfranchisement—voter suppression, racial gerrymandering, and restriction of voting rights—Thomas Farr is, sadly, one of the most experienced election lawyers in the country. . . . Thomas Farr’s record of hostility and disregard for fundamental civil rights disqualifies him for a lifetime appointment that will allow him to codify his discriminatory ideology into law.

I couldn’t agree more. I urge my Republican colleagues to see the better part of reason, to let, as Abraham Lincoln said—and we all know what he did—the better angels of their nature appeal to them, not just the political machine that says: This guy helped us get elected. Even if he took away voting rights of people, let’s put him in.

One more point, the great Chief Justice John Roberts, who told us he would call balls and strikes, allowed a lot of this to happen when he authored the Shelby decision, which took away protections against horrible things that Mr. Farr helped perpetrate. He said there wasn’t much discrimination anymore. Well, clearly there is. Nineteen States have rolled back voting rights since Shelby. Mr. Roberts tries to portray himself as a middle-of-the-road, call-the-balls-and-strikes person, but in his decisions he is very far from that, and that is why people see the courts as so political.

VIOLENCE

Mr. President, one final point on rightwing violence. I apologize to my colleagues who are waiting, and it will be a brief point when I can find it. I want to comment on a report by the Washington Post yesterday on extremist violence. The report found that “over the past decade, attackers motivated by rightwing political ideologies have committed dozens of shootings, bombings and other acts of violence”—this is their language—“far more than any other category of domestic extremist.”

We all abhor violence, whatever its origin—I have spoken out against it—but the conclusion of this report should put an end to the Republican fearmongering. President Trump’s fearmongering, about the so-called Democratic mobs.

The hard questions need not be put first to Democrats; hard questions need to be asked of President Trump. There is a question that looms: Is President Trump’s rhetoric encouraging rightwing violence that we have seen in the past few years the No. 1 cause of domestic violence? That question needs to be answered.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Illinois.

NOMINATION OF THOMAS FARR

Mr. DURBIN. Mr. President, Ron Chernow is well known as a historian and prolific writer who has written biographies of some of the most amazing people who have lived in our country. One, of course, is on the Founding Father, George Washington, and another which received acclaim even on Broadway in New York is the well-known biography of Alexander Hamilton, which inspired Mr. Miranda to write a musical, which is probably the most successful musical of our time.

Mr. Chernow has also written another book, which I am working my way through very carefully, the biography of Ulysses Grant. It is about 900 pages long. It is a heavy book to carry

from one living space to another as a U.S. Senator but well worth the effort. It tells the story of this man who came to lead the Union Army to victory in the Civil War and ultimately became President of the United States. As I have read this biography of Ulysses S. Grant, I couldn't help but be struck by the fact that one issue emerged after the Civil War, which was probably one of the most challenging of all, the issue about the right of African Americans to vote in the South after the Civil War—the so-called period of Reconstruction.

I also commend to those who are interested in the issue this book by Carol Anderson, entitled "One Person, No Vote." Carol Anderson is a professor at Emory in Atlanta, GA. She wrote an earlier book, which I also recommend, called "White Rage." This book, "One Person, No Vote," really tries to describe throughout history, particularly after the Civil War, efforts at voter suppression and their impact on our democracy.

Professor Anderson was kind enough to ask me to write the forward to this book, which I was happy to do. I am happy to read this book as well because it went into the detail about what happened after the end of the Civil War, when African Americans were legally and constitutionally declared to be citizens of the United States and then set out to exercise their right to vote. Initially, there was some success, but over time the White population in the South started suppressing that right to vote, passing laws that demanded literacy tests of those who would show up to vote, constitutional tests, poll taxes, and the like. Over time, it dramatically diminished the African-American vote in the South, and that diminishment led many Blacks to pick up and leave in the great migration north. Their departure from the South to the North was to the benefit of States like Illinois, where many thousands came to find work and an opportunity to exercise their own freedom, which they thought had been won by the Civil War.

How important is this right to vote? Well, in the words of John Roberts, the Chief Justice of the Supreme Court, at his hearing in 2005, he said that the right to vote is "preservative of all other rights"—preservative of all other rights. It is that fundamental to our democracy that we allow those who are eligible to step forward and to express their will when an election is called and choose the candidates of their choice.

Over the period of time after the end of the Civil War, there were extraordinary efforts taken to suppress the right of African Americans to vote. I say, with some embarrassment but in reality, those were largely promulgated by people who described themselves as Democrats in those days. They were the ones largely in control of the political infrastructure of the South who did their best to limit the right of Blacks to participate.

One of the noteworthy events in this history occurred in 1890 in Mississippi, when they passed the Mississippi Plan. In Carol Anderson's words, "a dizzying array of poll taxes, literacy tests, understanding clauses, newfangled voter registration rules, and 'good character' clauses—all intentionally racially discriminatory but dressed up in the genteel garb of bringing 'integrity' to the voting booth. This feigned legal innocence was legislative evil genius."

She goes on to explain how the so-called Mississippi Plan became a template for other Southern States to try to find ways to pass local and State laws making it increasingly difficult for individuals to vote, particularly African Americans and people who did not have great wealth. It was a success for many years, and the participation of Black voters diminished dramatically as a result of it.

I know this has sounded like a history lesson to this moment, and it would be but for the fact that we are facing this issue again in a vote we will face this week in the U.S. Senate.

There is a nominee for the Federal Court in the Eastern District of North Carolina named Thomas Farr. Mr. Farr's participation in voter suppression is well documented. In fact, the Congressional Black Caucus has described Mr. Farr as "the preeminent attorney for North Carolina Republicans seeking to curtail the voting rights of people of color."

Mr. Farr worked as legal counsel for the 1990 campaign of Senator Jesse Helms. That campaign engaged in well-documented, deeply disturbing tactics aimed at suppressing the Black vote in North Carolina.

As an example, the Helms campaign sent out over 100,000 postcards to mainly African-American voters warning that they might be ineligible to vote for residency reasons. The postcards from the Helms campaign, which Mr. Farr worked on as legal counsel, warned that the Black recipients might be arrested for voter fraud if they came to the polls to vote.

Mr. Farr initially told the Judiciary Committee, in which I serve, that he did not participate in any campaign meetings in which this mailing was discussed. However, news reports then indicated that Mr. Farr did, in fact, participate in an October 1990 meeting that included discussion about mailings that challenged voters' residency.

Mr. Farr, this nominee for a lifetime appointment to the Federal court in North Carolina, later admitted participating in the meeting, despite what he had said earlier. A former Justice Department attorney told the Raleigh News & Observer in 2009 that Mr. Farr "was certainly involved in the scheme as it was being developed."

Mr. Farr also represented North Carolina in litigation over a notorious voter suppression law that the Fourth Circuit struck down in 2016. So his experience in this earlier Helms campaign was not confined when it came to

voter suppression; by 2016 he was at it again. The Fourth Circuit found that the law—which Mr. Farr defended in court—had "target[ed] African Americans with almost surgical precision" and that the legislature had "enacted . . . the law with discriminatory intent."

That was the very law that Mr. Farr defended before the court.

This man, who now seeks this lifetime appointment to the Federal bench, has not just a history but a pattern of voter suppression. This phrase—that the law he was defending "target[ed] African Americans with almost surgical precision"—has probably been repeated more than any I can remember in recent memory on this issue.

Additionally, Mr. Farr represented North Carolina in litigation related to racial gerrymandering and violations of the National Voter Registration Act.

It is particularly troubling that Mr. Farr has been nominated for a judgeship that, as the minority leader mentioned earlier, was denied during the Obama administration when they submitted two African American nominees. The Republican Senators from North Carolina kept the seat vacant and would not allow an African American to fill it. Though President Obama tried twice, they objected to the nominees. Republicans held this seat vacant for years, clearly with the intention to fill it with someone like Mr. Farr.

Let me quote what the Reverend William J. Barber II, a prominent civil rights leader in North Carolina, wrote about Thomas Farr in TIME magazine recently:

I know Farr. I know what he's done, what he stands for and just how detrimental he will be to his constituents if confirmed.

There are many conservative lawyers in North Carolina who could serve as Federal judge who do not have the blemished record of advocacy for voter suppression that Mr. Farr brings to the Senate. As Reverend Barber wrote in TIME magazine: "Being a conservative is not the same thing as spending almost 40 years fighting to block full citizenship for all Americans."

Given his decades-long history of supporting and defending efforts to restrict the right to vote, I must oppose Mr. Farr's nomination.

I must ask: In this moment in time in the 21st century, as we still battle over the issues that divided this Nation during the Civil War, why would this Senate stand and give Mr. Thomas Farr a lifetime appointment to the Federal bench in North Carolina? What does it say about the majority in the Senate that we would give this man, with his personal history of voter suppression, this opportunity?

The reality is this, and it is a grim reality: I believe the Republican Party has decided that demographics are not on their side and that the emerging minorities in the United States of America are not likely to vote their way. So they have embarked on a national program to limit the rights of people to

vote—a national program that I find disgusting. To think that the Koch brothers finance ALEC—the American Legislative Exchange Council—and that ALEC promulgates these State laws in an effort to continue to suppress the vote carries on a sad and despicable tradition.

Back in the 19th century and the early part of the 20th century, it was the Democratic Party, which I belong to, that unfortunately was the home for many of these bigots and led many efforts of voter suppression. Today, sadly, it is the Republican Party—the party of Abraham Lincoln—that is trying to suppress the vote of African Americans with many overt, covert efforts. The appointment of Thomas Farr to fill this vacancy is as overt as can be. We know who he is. We know what he believes. We know what he stands for. And we know that if he is given this lifetime appointment on the Federal bench, he is likely to continue his lifetime history of trying to deny votes to those who are African Americans.

This Chamber that I stand in, with some awe every time I enter it, became the Senate legislative Chamber in January of 1859, even before the Civil War began. It witnessed not only the departure of the southern Senators who were loyal to the Confederacy; it witnessed even Union soldiers coming in and camping out here, at times during the conflict, when they needed a roof over their heads. It also witnessed the battles over reconstruction when the so-called radical Republicans were determined to make sure that African Americans would be given a fighting chance in the south. It witnessed the impeachment trial of Andrew Johnson, and it witnessed many other events that have led us to this moment in time in the year 2018.

Many of the debates that took place on this floor, many of the sentiments that were debated back and forth over the decades, continue to this day to our generation, to our time, and to our Senate. When we bring Thomas Farr for a vote this week in the U.S. Senate, I hope that the party of Abraham Lincoln—the Republican Party of the United States—will join Democrats in stopping this nomination. Can we send a clear message, a bipartisan message from the Senate this week that Thomas Farr and the voter suppression in which he has engaged throughout his life is as unacceptable today as it was in the dark days after the end of the Civil War? That is our responsibility.

This Senator will be voting no on Thomas Farr.

I yield the floor.

The PRESIDING OFFICER (Mr. LEE). The Senator from Oregon.

(The remarks of Mr. MERKLEY pertaining to the submission of S. Res. 708 are printed in today's Record under "Submitted Resolutions.")

The PRESIDING OFFICER. The Senator from California.

NOMINATION OF THOMAS FARR

Ms. HARRIS. Mr. President, a key component of our democracy is access

to the ballot. The Supreme Court acknowledged in *Reynolds v. Sims* that "the right of suffrage is a fundamental matter in a free and democratic society. Especially since the right to exercise the franchise in a free and unimpaired manner is preservative of other basic civil and political rights, any alleged infringement of the right of citizens to vote must be carefully and meticulously scrutinized."

I always say that your voice is your vote and your vote is your voice. In the recent midterm elections, we saw that there are still powerful forces in our country willing to go to incredible lengths to deny Americans their right to vote. It is indeed outrageous that some voters in Georgia had to wait 4 hours to vote, and a candidate for Governor was the one responsible for overseeing his own election; that Native Americans and their IDs were not accepted at polling places in North Dakota; that nearly 20 percent of North Carolina early voting locations were closed this year.

Five years ago, in *Shelby County v. Holder*, the Supreme Court gutted the Voting Rights Act. Congress is the only body that has authority to restore and should therefore be taking steps to restore and strengthen the Voting Rights Act and to expand early voting and automatic voter registration. Why? Because the more people who can readily participate in our democracy, the more our government will be responsive to the people we are elected to represent.

Yet, instead of Congress acting to strengthen access to the ballot, the Senate is considering Thomas Farr for a lifetime appointment to the District Court of the Eastern District of North Carolina—a nominee who has consistently and for decades put limits on the ability of Americans to exercise their constitutional right to vote. Just look at the facts.

Mr. Farr actually defended North Carolina's 2013 voting restrictions law—a law that would have required photo IDs, which disproportionately impacted Black voters. At the same time, they prohibited certain IDs, such as student IDs or public employee IDs. This law also reduced same-day registration and early voting—a law that was so clearly unconstitutional that the Fourth Circuit described the law as targeting Black voters with "almost surgical precision." The Fourth Circuit went on to call it "the most restrictive voting law North Carolina has seen since the era of Jim Crow."

The facts also include that Mr. Farr represented the North Carolina Legislature in multiple challenges to its 2011 congressional and legislative redistricting. This was an attempt to draw congressional boundaries in ways that disadvantaged Black voters for partisan gain. Those maps were later struck down as unconstitutional and racially discriminatory.

Mr. Farr has also repeatedly represented powerful employers against the rights of workers and customers to

be treated equally. For example, he represented a rental car company that allegedly imposed additional requirements on Black customers. He also represented a pharmaceutical company against allegations of gender discrimination, hostile work environment, and retaliation.

To be clear, attorneys are not charged—nor should they be—with the views of their clients, but when such a significant part of your decades-long record involves defending clients charged with discrimination and defending laws that undermine the right to vote, it is reasonable to question whether that individual can be a fair and impartial judge of similar cases.

Mr. Farr's public comments raise questions about his judgment as well. For instance, he has compared the decision upholding the Affordable Care Act to the *Dred Scott* and *Plessy* decisions. For a reminder, *Dred Scott* is a case that said African Americans could not be citizens, and *Plessy v. Ferguson* upheld the constitutionality of segregation—both now universally considered shameful decisions. The idea that a decision upholding the expansion of healthcare for millions of Americans is remotely comparable to these rulings should be utterly offensive to anyone who knows anything about America's history. These are statements of an ideologue, not someone who understands that their interpretation of these rulings should be something that people will, if they are not careful, rely on. So these are the statements of an ideologue, not an evenhanded and unbiased judge. The people of North Carolina deserve better, and let us be clear about who many of these people are.

More than one-quarter of the population covered by the Eastern District is Black—nearly 27 percent. Yet there has never been a Black Federal judge serving the Eastern District of North Carolina in the court's 146-year history.

In 2013, President Obama nominated Jennifer May-Parker, an assistant U.S. attorney and chief of the Appellate Division of the U.S. Attorney's Office, and she is Black. She was appointed to this vacancy—a position Senator BARR had previously recommended her for—but that nomination was blocked.

In 2016, President Obama nominated Patricia Timmons-Goodson—a justice who served on the North Carolina Supreme Court—who is also Black. That nomination was also held up.

As a result, this is now the longest judicial vacancy in the Federal court system. Instead of two highly qualified women, Senate Republicans want to fill this vacancy with someone who is anathema to so many of our communities and, in particular, communities of color.

So I would echo the North Carolina NAACP, which said that "if this nomination is confirmed, it represents an historic insult to justice and to the people of North Carolina."

I know there are folks who might consider the odds of stopping this

nominee and throw in the towel, but the way I see it, if it is something worth fighting for, it is a fight worth having. If it is something worth fighting for, it is a fight worth having. This fight against Thomas Farr is a fight worth having because Thomas Farr is far from what we should accept in a nominee. I know we can do better, and we must do better.

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). The Senator from South Dakota.

SENATE ACCOMPLISHMENTS

Mr. THUNE. Mr. President, the 115th Congress is drawing to a close, and we have accomplished a lot over the past 2 years. Our goal for this Congress was simple—make life better for the American people.

A big part of that was getting the economy going again. After years of economic stagnation under the Obama administration, American families were feeling the pinch. Growth was sluggish, wages were stagnant, and opportunities were few and far between. For too many families, getting ahead had been replaced by getting by. We were determined to change that, and so we took action.

We passed a historic reform of our Tax Code that put more money in American families' pockets and made it easier for businesses to grow and create jobs and opportunities for American workers, and now we are seeing the results: robust economic growth, the lowest unemployment level in almost 50 years, a record number of job openings, growing wages, near-record confidence among small businesses, and the list goes on.

In human terms, that means more opportunities for American workers looking to grow and advance; it means more options for Americans searching for a job; and it means bigger paychecks and better benefits for workers and less worry for families.

I am proud tax reform is making life better for American families and grateful to Senator HATCH and our colleagues on the Finance Committee for the incredible work they did to get this historic reform through Congress.

Tax reform was our biggest economic achievement this Congress, but that is not the only thing we have done to help American workers. Along with the White House, we have lifted burdensome regulations, and we enacted legislation, led by Senator ENZI and Senator ALEXANDER, to prepare students for the workforce by improving career and technical education programs. We also enacted Senator CRAPO's legislation to give Main Street lenders relief from burdensome Dodd-Frank regulations.

On the national security front, under the leadership of the late Senator McCain and Senator INHOFE, we have reinvested in our Nation's military to ensure that our troops are equipped not only for today's mission but to meet the threats of the future. We passed the

largest pay increase for our troops in nearly a decade, and we delivered real reforms for our veterans through the VA MISSION Act. This legislation, helmed by Senator ISAKSON, streamlined the VA's community care programs to help ensure that veterans receive efficient, timely, and quality care. Once fully implemented, it will also expand caregiver assistance to disabled pre-9/11 veterans, an overdue benefit for generations of our heroes. We also modernized the Veterans Benefits Administration appeals system to develop a quicker, more responsive system for veterans.

On the healthcare front this Congress, we passed the SUPPORT for Patients and Communities Act to address the nationwide opioid epidemic. This was a product that contained policies championed by multiple committees and multiple Senators, and I am grateful for all the work my colleagues did to advance this important initiative.

We also repealed ObamaCare's individual mandate tax which forced patients to buy insurance they didn't want and couldn't afford; we passed legislation, led by Senator JOHNSON, to give terminally ill patients access to experimental care; and under the leadership of Senator HATCH, we passed the longest extension of the State Children's Health Insurance Program in the program's history.

Another major achievement this year has been the tremendous number of good judges we have been able to confirm to the Federal bench. Senator GRASSLEY has done an incredible job of moving these judges through the process and presiding over the confirmations of two Supreme Court Justices. The Federal bench will be stronger for many years because of his work.

Senate Republicans have accomplished a lot in the 115th Congress, and we are excited to get to work in the 116th. Our agenda will stay the same—growing our economy and expanding opportunities for American workers and protecting our Nation.

There are those who wonder how much Congress will be able to accomplish in the next 2 years. After all, we are facing a divided government. We have a Republican President. The American people voted for a Republican majority in the Senate, but they also voted for a Democratic majority in the House of Representatives. Divided government doesn't have to spell the doom of productivity.

Over the last 30-plus years, some of our greatest legislative accomplishments have been the product of divided government—the 1986 Reagan tax reform, 1996 welfare reform, the Balanced Budget Act of 1997, national security legislation in 2002, the 2012 legislation to help working families by making the Bush tax cuts permanent, a major reform of the VA in 2014—all important bills, all the product of divided government.

So I know it is possible for the Republican Senate and the Democratic

House to achieve big things in the 116th Congress, and Senate Republicans are ready to work with our Democratic colleagues. Now it is up to the Democrats to decide whether they want to work with us. Democrats have spent a lot of time over the past 2 years trying to relitigate the last Presidential election, but if they want to get anything done in the 116th Congress, they are going to need to move past 2016. Tying up the House with partisan investigations of the President or running a Presidential campaign from the Senate floor is not a good use of anyone's time. We need to spend our time focused on the American people's priorities like helping working families and increasing opportunities for American workers. That is what Senate Republicans will be focused on in the next Congress.

I hope our Democratic colleagues will join us. If they are willing to work with us, I know that together we can achieve big things for the American people.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the nomination of Stephen Alexander Vaden, of Tennessee, to be General Counsel of the Department of Agriculture?

Mr. THUNE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Mississippi (Mrs. HYDE-SMITH).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 46, as follows:

[Rollcall Vote No. 246 Ex.]

YEAS—53

Alexander	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heitkamp	Rounds
Cassidy	Heller	Rubio
Collins	Hoeben	Sasse
Corker	Inhofe	Scott
Cornyn	Isakson	Shelby
Cotton	Johnson	Stabenow
Crapo	Kennedy	Sullivan
Cruz	Kyl	Thune
Daines	Lankford	Tillis
Donnelly	Lee	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young
Fischer	Murkowski	

NAYS—46

Baldwin	Hassan	Peters
Bennet	Heinrich	Reed
Blumenthal	Hirono	Sanders
Booker	Jones	Schatz
Brown	Kaine	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Smith
Carper	Leahy	Tester
Casey	Manchin	Udall
Coons	Markey	Van Hollen
Cortez Masto	McCaskill	Warner
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Murphy	Wyden
Gillibrand	Murray	
Harris	Nelson	

NOT VOTING—1

Hyde-Smith

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Karen Dunn Kelley, of Pennsylvania, to be Deputy Secretary of Commerce.

Mitch McConnell, Johnny Isakson, Mike Rounds, Thom Tillis, Mike Crapo, Pat Roberts, John Hoeven, David Perdue, Tim Scott, John Cornyn, Roy Blunt, Cory Gardner, Tom Cotton, Jerry Moran, John Barrasso, Roger F. Wicker, John Boozman.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Karen Dunn Kelley, of Pennsylvania, to be Deputy Secretary of Commerce, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Mississippi (Mrs. HYDE-SMITH).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 62, nays 37, as follows:

[Rollcall Vote No. 247 Ex.]

YEAS—62

Alexander	Cruz	Hoeven
Barrasso	Daines	Inhofe
Blunt	Donnelly	Isakson
Boozman	Enzi	Johnson
Burr	Ernst	Jones
Capito	Fischer	Kennedy
Casey	Flake	King
Cassidy	Gardner	Kyl
Collins	Graham	Lankford
Corker	Grassley	Lee
Cornyn	Hatch	Manchin
Cotton	Heitkamp	McCaskill
Crapo	Heller	McConnell

Moran	Roberts	Sullivan
Murkowski	Rounds	Tester
Murphy	Rubio	Thune
Nelson	Sasse	Tillis
Paul	Schatz	Toomey
Perdue	Scott	Wicker
Portman	Shaheen	Young
Risch	Shelby	

NAYS—37

Baldwin	Gillibrand	Reed
Bennet	Harris	Sanders
Blumenthal	Hassan	Schumer
Booker	Heinrich	Smith
Brown	Hirono	Stabenow
Cantwell	Kaine	Udall
Cardin	Klobuchar	Van Hollen
Carper	Leahy	Warner
Coons	Markey	Warren
Cortez Masto	Menendez	Whitehouse
Duckworth	Merkley	Wyden
Durbin	Murray	
Feinstein	Peters	

NOT VOTING—1

Hyde-Smith

The PRESIDING OFFICER. On this vote, the yeas are 62, the nays are 37.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Karen Dunn Kelley, of Pennsylvania, to be Deputy Secretary of Commerce.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:15 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senate will come to order.

The PRESIDING OFFICER. The Senator from Iowa.

TRIBUTE TO ORRIN HATCH

Mr. GRASSLEY. Mr. President, I am here to give thanks. Just a few days ago our country celebrated a national day of Thanksgiving. We celebrated food, fellowship, and freedom with family and friends. By any measure we are a people endowed with an abundance of blessings. As Americans, we have every reason to be grateful to share the prosperity of economic freedom, religious liberty, and self-government.

Today, I come to the floor to extend my gratitude for one of the most distinguished public servants ever to serve in the U.S. Senate. It is my distinct privilege to stand here today to pay tribute to my good friend and colleague from Utah, ORRIN HATCH.

He is a man widely known for his integrity, character, and temperament. He is devoted to his family, his constituents, and his country. With overwhelming support from the good people of Utah, he has served his State and all of America in the U.S. Senate for 42 years.

In those four decades of service, he has brought honor, humility, humor,

and heart to this institution of the U.S. Senate. He has honed his legislative experience on a broad range of public policies. In fact, none of his peers have led more laws to final passage than my friend Senator HATCH. He has built successful bipartisan coalitions to enact laws that make a difference in the lives of everyday Americans.

As former chairman of the Senate Judiciary Committee and currently the senior member there, he is a champion of religious liberty and the rule of law. He is an advocate for entrepreneurship and free enterprise, as well as a champion of intellectual property rights, which includes being the lead Senate sponsor of the Music Modernization Act. He is just old enough to know when laws aren't keeping up with technology. Thanks to his tenacity, the new law will help ensure songwriters, artists, and creators that they will be fairly compensated for their works.

Like so many Americans, Senator HATCH is a man of humble beginnings. He embraces the promise of prosperity and opportunity that makes America the beacon of the free world, and that brings me to the basis of my remarks today. From his decades of service and the chairmanship at the helm of the Senate Finance Committee, Senator HATCH has shouldered some pretty heavy lifting in the legislative trenches to advance free and fair trade laws to foster economic growth and opportunity.

As we all know, America is home to at least 320 million people. That is a fraction of the world's population, and yet America leads the world in economic output. Thanks to an amazing bounty of natural resources and an economic foundation that rewards ingenuity, productivity and creativity, our country, the United States, produces goods and services that consumers around the world want to buy.

Senator HATCH and I share a core philosophy: lowering taxes and trade barriers as a winning formula for prosperity. To paraphrase a philosophy that often is attributed to our 35th President, "a rising tide lifts all boats." Today, I want to give credit where credit is due. Thanks to Senator HATCH's unflinching leadership and unwavering commitment to advance the principles of free and fair trade, America's formula for prosperity and opportunity stands strong for generations to come.

It is virtually impossible to recall any trade policy in recent history that does not have the fingerprints of my esteemed friend Senator HATCH all over those documents. In fact, he led the renewal of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015. It paved the way for a robust, transparent review of trade negotiations.

Like Senator HATCH, I understand that America needs to speak with one voice on the world stage for effective, lasting trade agreements. We also agree on the constitutional authority

of the legislative branch to maintain oversight of these trade agreements. Consultation with Congress is a focal ingredient to ensure that America's workers, job creators, and consumers benefit from the global economy.

Senator HATCH also steered through bipartisan, bicameral trade legislation that updated our customs laws. It authorized the U.S. Customs and Border Protection to strengthen travel and trade enforcement at our borders. Passage of the Trade Facilitation and Trade Enforcement Act of 2015 holds our trading partners accountable. It preserves the twin pillars of America's most important economic assets: innovation and intellectual property. Putting in place effective tools to protect intellectual property and thwart counterfeit and illicit products from infiltrating the supply chain protects all of our consumers, all of our workers, and our job creators.

Senator HATCH understands that trade agreements can do more harm than good without proper enforcement. Unfair trade can lead to bad trade. That is bad for America. Tax and trade cheats undermine our economy. Senator HATCH has worked tirelessly throughout his years at the helm of the U.S. Senate Finance Committee to weed out wrongdoers and, at the same time, to sow the seeds of accountability and transparency in our international trade regime. Protecting U.S. patents, copyrights, and trademarks are essential to U.S. innovation, investment, and prosperity in the 21st century.

Senator HATCH has also worked to eliminate barriers to trade that helped developing nations create more open economies. His long-term commitment to renew the Generalized System of Preferences helped to lower input costs for U.S. job creators and manufacturers.

On Senator HATCH's watch, investment and opportunity have grown around the world. That rising tide includes the African Growth and Opportunity Act and other trade agreements that facilitate economic development and democracy in developing nations.

Expanding market access is good for America. As manufacturers and farmers in Iowa tell me time and again, that is the case. They want the opportunity to compete in every market for every sale. Americans want to do business on the world stage and compete on a level playing field. Thanks to Senator HATCH's leadership with the Trade Preferences Extension Act of 2015, we expanded market opportunities in developing countries. Once again, quoting President Kennedy, "a rising tide lifts all boats."

When things haven't gone according to plan, Senator HATCH has worked effectively to strengthen U.S. trade remedy laws, including updates such as electronic reporting requirements to hold bad actors to account and to protect the health and safety of consumers for imported goods and services.

Building on the passage of the American Manufacturing Competitiveness Act of 2016, Chairman HATCH also led the way to further reduce trade barriers, boost economic benefits, and foster competition for U.S. businesses, our services providers, and our manufacturers. The Miscellaneous Tariff Bill Act of 2017 untangles the burdensome redtape of interagency petitions and enforcement that can make or break a business due to unfair trade shenanigans. It strengthens transparency and fairness to help American manufacturers and their workers compete for business. In a nutshell, this law helps U.S. businesses simply to stay in business.

At the end of the day, all of what I said are things, among others, that fuel the U.S. economy—the opportunity to compete for every sale in every market.

Senator HATCH will leave behind a remarkable legacy and a very big gavel. From one public servant to another, Senator HATCH, I am grateful for your service. You have an impeccable record and a long list of achievements that lift the tide for generations to come. Thank you for all you have done for your State, for your country, and for this institution of the Senate.

To my dear friend, from the bottom of our hearts, Barbara, my wife, and I are grateful for your friendship and wish you well for the future.

I yield the floor.

The PRESIDING OFFICER. The President pro tempore, the Senator from Utah.

Mr. HATCH. Mr. President, I want to thank my dear colleague from Iowa. He is one of the greatest Senators I have served with. He is just a wonderful friend and a wonderful Senator. He has worked his tail off the whole time he has been here. I am grateful for his kind words. It means a great deal to me.

Mr. GRASSLEY. Thank you.

Mr. HATCH. Thank you so much.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from Ohio.

Mr. PORTMAN. Mr. President, I have the great pleasure today to talk about a friend. It is a bittersweet moment because that friend is choosing not to stay with us here in the Senate. He didn't run for reelection. He is going back home to Utah, but I want to take a minute to talk about his incredible accomplishments here as a public servant over a 42-year career—over 4 decades here in the Senate.

Some people come here because they want to be somebody. ORRIN HATCH came here because he wanted to do something for people, and boy, he has done that. Time after time, he has stepped up to serve the American people.

When Senator HATCH retires, the Senate will be losing not only our President pro tempore—that means that he is fourth in line to be President, and he is the President pro tempore here of the Senate, the most senior Member—but we are also going to

lose somebody who, over the years, has been a mentor for a lot of us because he is a person who is committed to legislating, to making a difference in the lives of the people of Utah and the people of our great country. He has been a Statesman. At a time of bare-knuckle politics, isn't it nice to have that model? That is ORRIN HATCH.

Back in 1976, a blue-collar kid from Pennsylvania, who had been a card-carrying union member, of which he is proud, and later went to law school and in Salt Lake City became a successful litigation attorney, decided to run for the Senate. He was running against a 3-term incumbent. Normally, that is not a recipe for success, but he had a rare and impressive victory for a first-time candidate, and he hasn't looked back since.

When he got elected, I think he probably was a little surprised, but he also realized that he owed something to the people of Utah. That was to put his nose to the grindstone and make a difference for them, and that is what he has done.

They say he has sponsored more bills that have become law than any other living Member of Congress. He might even have that record for any Member of Congress but, certainly, for those of us who are still around.

He is the former chairman of the Senate Health, Education, Labor, and Pensions Committee, also called the HELP Committee, and the former chairman of the Senate Judiciary Committee. Currently, he is the chairman of the all-powerful Senate Finance Committee. I say that somewhat jokingly, but, truly, that committee has jurisdiction over such a broad range of issues, all of which Senator HATCH has touched. I have gotten to work with him on a lot of those issues over the years, when I was on the Ways and Means Committee in the House and now on the Senate Finance Committee. We have worked together on tax reform, on anti-drug legislation, on pension legislation, on healthcare legislation, on intellectual property legislation, and on so much more.

I also had the honor of working very closely with him when I was U.S. Trade Representative because the Senate Finance Committee handles trade matters. He was always extremely involved and engaged in expanding the opportunities for U.S. workers and farmers to sell their products abroad. With a slew of achievements to highlight, it is his most recent accomplishment that I want to talk about very briefly, and that is the devotion he gave to tax reform.

Remember, it had been 31 years since we had had any significant tax reform in this body. Then, a couple of years ago, ORRIN HATCH said: Do you know what? We are going to do this. He set up a bunch of working groups, and they were bipartisan. I cochaired one of them with Senator SCHUMER, who is now the Democratic leader. He said: Let's go to work on this thing.

Frankly, a lot of people didn't give him much of a chance. Why? It had been tried previously in those 31 years, and it had been unsuccessful. Then, here we were in this partisan atmosphere. How could it possibly succeed?

He kept at it, and he shepherded through the process what, I think, is historic tax reform and what I know is helping the people I represent. It is helping small businesses, and it is helping American workers. It is helping to give people opportunities that they would not otherwise have had.

It had been 31 years. Think about that. Back then, Senator HATCH was a second-term Senator. Pete Rose still played for the Cincinnati Reds. Ronald Reagan was President of the United States.

After 31 years, it was probably a good idea to update the Tax Code, and he did that. It is pro-growth. It is resulting in more investment in people and equipment and jobs. As a result, I believe you see this expansion of our economy out there. I think it is the biggest single reason for it.

Wages are finally going up for the first time, really, in a decade and a half, and families have just a little more cash to spend for their Christmas shopping, for their retirements, for their healthcare, for their kids and grandkids. That is exactly what Senator HATCH intended when we crafted that new law, and that is a heck of a capstone for an amazing career.

I am also, though, very grateful for his work in other areas—in protecting religious freedom, in encouraging technological innovation, in focusing a lot on the tech community and how we can help here in Congress to either provide legislation that helps them to be successful, which has encouraged this economic growth we have seen in this country over the last several decades, or to get out of the way, when necessary, to ensure that technology can continue to be at the cutting edge here in the United States.

He has even helped songwriters. Now, some might think that is selfish of him because he is a songwriter himself, but he did it because he realized that songwriters deserved to get a responsible return and to be able to protect their intellectual property that they had embedded in their music and in their videos. So he has been a hero to the folks in the music industry as a result.

By the way, he is not done. This week, next week, and the week after, Senator HATCH is and will be leading a bipartisan effort with Senator BROWN to save the multiemployer pension system. Folks, this is not a task that people take on because it is fun. It is difficult. It is difficult on substance, and it is difficult on politics. Who is back in the lead? ORRIN HATCH, as cochair of this select committee, which this Congress formed to finally come up with a way to keep these pensions from going under, to keep the government entity that ensures the pensions, which is called the Pension Benefit Guaranty

Corporation, or PBGC, from going under, and, ultimately, to ensure that our economy and thousands of businesses will not be impacted so negatively, because we are going to lose a lot of businesses, and we are going to lose the ability to provide people with their hard-earned retirement money unless we fix this system.

Once again, he is in the lead and is trying not to do something that is good for him or good for him politically but something that is good for our country that he knows has to be done. In my view, ORRIN HATCH epitomizes what it means to be a public servant and to be a servant leader because he does it through leadership. He doesn't have to give speeches on civility; he practices it.

Over the years, for me, he has been a model of a serious legislator—one focused on delivering results. Perhaps, most importantly, he is a gentleman. He is a gentleman who treats everybody with respect—everybody. Regardless of your political focus, regardless of who you are in this place or what your station in life is, ORRIN HATCH treats you with respect and dignity.

Despite all of these legislative accomplishments during his more than four decades in the Senate, what is he the most proud of? His family. I know that. I got to know his son early on when we worked together as lawyers in the first Bush White House. This was about 30 years ago. He and Elaine, his wife, have been together now for more than 60 years. They have 6 children, 23 grandchildren, and 24 great-grandchildren. Now, that 24 might have increased since I started talking—I don't know—but he has a lot of them.

Even as he retires as the President pro tempore of this body, I know he is going to stay busy with the Hatch Foundation, and, folks, he is going to stay busy with that growing family. Shepherding tax reform will be nothing compared to shepherding 47 grandchildren and great-grandchildren this holiday season.

ORRIN HATCH, we thank you for what you have done for your State and your country. I know I speak on behalf of this body as a whole when I say that the impact you have had during your time here in the Senate has been one that has made all of us better by being around you and has made this country better. I am grateful for having had the opportunity to work with you as a colleague, and I look forward to the pleasure of our continuing friendship. Enjoy your retirement, ORRIN. It is well-deserved. Godspeed.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I thank my dear colleague for his kind remarks. I didn't expect them. I didn't realize this was going on until a few minutes ago. So I am grateful to him. Thanks for that.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I rise this afternoon to say a few words about

a colleague, a friend, a mentor, and a man whom I admire very, very much and for whom I have so much respect, my colleague Senator HATCH.

In Pennsylvania, as in many States, along the sides of the roads in various towns, you often see these commemorating plaques of historically significant places. In Pennsylvania, there are these that are of beautiful cast aluminum. They are painted blue, and there is gold lettering. They tell you something unique about little boroughs, towns, villages, or sometimes sights in big cities all across the Commonwealth.

There is such a commemoration at the house at which Betsy Ross made the first American flag. There is a marker that signifies the spot at which President Lincoln gave the Gettysburg Address. There is the site of the first World Series in Pittsburgh, PA.

Now, I am not a member of the commission that makes the decision about these things, but if I were, I think you could make a great case for a current and unique Pennsylvania success story. Many of my colleagues already know that Chairman HATCH is actually a son of Pennsylvania. He began with very humble roots in the great city of Pittsburgh, PA, where he attended McGibney Elementary School and grew up in a hardscrabble neighborhood.

He developed an amazing tenacity, which we have all seen and come to know, that has stayed with him to this day. As a matter of fact, my understanding is that the tenacity started at an early age. I understand there was a season during which a young ORRIN HATCH, on the Baldwin High basketball team, managed to foul out 15 times in 1 season. A pretty tough and tenacious guy on the basketball court he was. Yet he was not just a good athlete.

The city of Pittsburgh helped to nurture in ORRIN HATCH his love for music. He was a regular attendee at, among other things, the Pittsburgh Symphony Orchestra at the old Syria Mosque in Oakland, which I like to think contributed a little bit to his lifelong love of music.

He was a hard-working guy from the beginning. In high school, ORRIN HATCH worked his summers as a wood lather, and he was a card-carrying member of the AFL-CIO. The modest income he earned from that job helped to put him through school.

Yet, if you had to pick one place to put the marker that would be calling attention to this wonderful son of Pennsylvania, it might actually be a chicken coop in the Pittsburgh area because, while he was struggling to make ends meet right after college, ORRIN HATCH renovated the chicken coop in his parents' backyard, and he turned it into a little two-room cottage. That is where he lived with his young family. That is where they scraped by while he was attending the University of Pittsburgh School of Law on a scholarship.

The future Chairman HATCH graduated from that law school. He practiced law in Pittsburgh for 7 years and

was recognized as a formidable attorney in Pittsburgh, in Western Pennsylvania, before leaving for Utah, where he would ultimately launch what then looked to be improbable but would turn into being this enormously successful career in government.

Of course, the challenge, if you were going to put one of these markers up is this: What would you say? There is just so much to say about Chairman HATCH. It is hard to encapsulate his success in this body, certainly on a marker or even in a speech, but let me try to touch on a few of the high points.

It is amazing how long he has been so accomplished in this great body. Before I had even graduated from college, Senator HATCH had already worked to successfully pass one of the initiatives for which he has become well-known.

In medicine, as the Presiding Officer knows, we have a term called orphan conditions. This really refers to very rare diseases, diseases that afflict fewer than 200,000 Americans. While they are narrow in the scope of any particular disease, cumulatively, they do affect quite a significant number of Americans. They are conditions like cystic fibrosis, multiple myeloma, and ALS. Because any one of these orphan conditions affects relatively few people, the economics of developing a treatment for one really didn't work. From 1973 to 1983, the FDA actually only approved 10 orphan therapies over 10 years for all of the hundreds and hundreds of orphan diseases that had afflicted millions of people cumulatively.

Senator HATCH recognized this problem. As chairman of the Committee on Labor and Human Resources, which was the predecessor to the HELP Committee, Senator HATCH worked across the Chambers and across the aisle with Representative Henry Waxman. In 1983, they passed the Orphan Drug Act, which increased the incentives for developing drugs for these rare but, really, problematic conditions.

Since that time, there have literally been hundreds and hundreds of orphan products that have been approved and have come on the market. While that law has been updated over the years to reflect the changing technology and changing dynamics in medicine, the fact is the Orphan Drug Act that Senator HATCH authored as a relatively new Senator has undoubtedly made a profound difference in saving lives and in improving the quality of life for millions of Americans who previously had little or no hope. It was a very, very big deal.

The very next year, Chairman HATCH achieved the passage of another really monumental law in the healthcare space. It is officially called the Drug Price Competition and Patent Term Restoration Act, but everybody around here simply refers to it as Hatch-Waxman. This is the legislation that really laid the foundation for the generic drug industry that we see today.

Really, when you think about it, this has been an astonishing—really, revo-

lutionary—innovation that has been enormously helpful for American consumers. If you go back to 1984, only about 19 percent of all of the drugs that were dispensed in America were generic, and over 80 percent were branded drugs. That is important because branded drugs are vastly more expensive than generic drugs. By 2017, largely as a result of the legislation that Senator HATCH authored, that dynamic had completely flipped. In fact, it had more than flipped. By 2017, branded drugs are less than 15 percent of all of the drugs dispensed, and generic drugs, the low-cost alternative, are over 85 percent of all the drugs dispensed in America. This one change alone results in saving American families billions of dollars a year on their healthcare costs.

The list of Senator HATCH's accomplishments is a very, very long one, and I couldn't go through all of it. I couldn't begin to. Again, just to touch on some of the other big ones, there is the creation of the Children's Health Insurance Program and the passage of the Dietary Supplement Health and Education Act. All of this happened before I got to the Senate, some many years ago.

Then, in 2010, I was elected to the Senate, and I had this wonderful privilege shortly thereafter of working on the Senate Finance Committee with Senator HATCH as our chairman and our leader. It was a privilege for me, for a lot of reasons, not the least of which is, I had a chance to see up close, in person, and firsthand his leadership style and how effective he is. He is a role model for anyone who wants to have a successful career as a U.S. Senator.

He was tremendously productive on his work to repeal Medicare's flawed sustainable growth rate, which, year after year, plagued healthcare. There seemed to be no solution, but Senator HATCH figured that out. He was principally responsible for crafting and passing the CHRONIC Care Act. Anybody in the Senate could learn a lot from his focus on oversight of our Nation's foster care system, as well as his role in shaping the Finance Committee's response to the prescription drug abuse and the opioid crisis. It is a very, very long list of really, really important reforms and innovations in healthcare, but it is not just healthcare.

What I think will probably be one of Senator HATCH's most lasting legacies is the leadership he provided to make it possible for all of us to pass the most comprehensive tax reform in over 30 years.

Our Tax Code was broken for a long time. Without Senator HATCH's leadership of the Finance Committee, it would still be broken today. Instead, he helped us to take an outdated, uncompetitive Tax Code and transform it into a competitive, progrowth Tax Code, bringing down our corporate rate to 21 percent, reversing the trend of compa-

nies moving headquarters abroad, reforming our international tax rules to encourage investment domestically, and allowing businesses to immediately write off capital investment. That already has and will continue to lead to a surge of investment, which enhances worker productivity, which is a necessary precondition for wage growth, which we are now seeing. These are the fruits of Senator HATCH's labors.

He insisted that we lower taxes at every income level so virtually all Americans save on their Federal tax bill, and the result has led to the strongest economy in over a decade and, by many measures, much longer than that.

Consumer confidence is at an 18-year high. For the first time that I know of in American history, we have more job openings in America than there are people looking for jobs. Unemployment benefit claims are hitting a 45-year low. In fact, unemployment is the lowest it has been since 1969. These are unbelievable numbers. African-American unemployment is at an alltime record low. Hispanic unemployment is at a record low. Youth unemployment is at a 50-year low. As a result of all of this demand for workers, average hourly earnings are rising at the highest year-over-year increase in a decade. That story is true and was made possible by Senator HATCH.

It was roughly 50 years ago when the Hatch family left Pennsylvania for Utah. That was our loss. It is a big gain for Utah. They gained a great man, a good man, and a future statesman. I will insist that the Commonwealth of Pennsylvania deserves to take a lot of pride in having contributed, at least in helping to shape this good, kind, decent, honorable, and extremely influential man and his life.

I want to give my personal thanks to Senator HATCH for his leadership and for the fact that he has been such a good and honorable man. He enhances the reputation of this body, and he has set a great example for all of us to follow.

I wish my friend and mentor a very long and happy retirement.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Utah.

MR. HATCH. Mr. President, I just can't express my gratitude for the kindness of my dear friend from Pennsylvania. This means so much to me. I didn't even realize it was going to happen. I hustled over here, and there it was.

I say to the Senator, I am grateful to you, and I am grateful for the kind remarks you have made. I couldn't have asked for more. It was so decent of you, as you always exhibit. You are a great Senator, and I really appreciate your support here today. Thank you so much.

THE PRESIDING OFFICER. The Senator from Louisiana.

MR. CASSIDY. Mr. President, I would like to thank the senior Senator from

Utah who is retiring at the end of this session of Congress.

Senator HATCH has faithfully served the public for 40 years in the U.S. Senate, constantly using the interface of public policy and the free market to find the best outcome for the American citizen.

If the responsibility of Congress is to pass legislation that improves the lives of Americans, Senator HATCH has met this responsibility. As two examples, when I was a doctor—before entering politics—treating patients, Senator HATCH helped me take better care of my patients. Let me give these examples: The Hatch-Waxman Act leveraged the free market to increase the availability of generic drugs, which means more affordable medicines. The second example I will give is the 1997 Balanced Budget Act, creating the Children's Health Insurance Program, also known as CHIP, which gave greater access to healthcare for Americans in need. That benefited me as a doctor taking care of my patients. As a Senator, it was an honor to work with him this past year to reauthorize the CHIP program and to continue efforts to make prescription drugs more affordable.

On a personal note, shortly after joining the Finance Committee, Chairman HATCH sent me a letter welcoming me to the committee and making his office available to help in any way his office could.

If there is a defining characteristic of Senator HATCH, it is that he listens. Whether it is to fellow Senators, the people of Utah, or the people of the United States, Senator HATCH listens and works to find a mutually beneficial outcome.

This happened when the Federal Government came after the Volks construction company in Prairieville, LA, for a record violation occurring well beyond the government's legal authority. The District of Columbia Circuit Court of Appeals stepped in and unanimously ruled to stop the government overreach, but the Obama administration issued a rule to permit the practice, despite the DC Circuit Court ruling. Knowing this was an important issue for companies in my State, as well as in the rest of the country, Chairman HATCH worked with me to lead legislation to permanently protect businesses from this kind of government abuse of power—again, using the free market or protecting the free market from government abuse.

Another example I will give is during tax reform, when Senator HATCH listened to colleagues' concerns and ideas about how to improve the Tax Cuts and Jobs Act to give our companies the tools to succeed. The final product was better for it. He worked with me to strengthen and preserve the historic tax credit, which is instrumental in over 780 restoration projects in Louisiana. When you go to New Orleans and see all of these old buildings now shining once again in glory, they were probably helped by the historic tax

credit, leveraging \$2.5 billion in private investment, creating over 38,000 jobs in Louisiana alone. This is again marrying, if you will, the free market with public policy.

The last issue I will mention, of the many I could, is the following: Since first elected, Senator HATCH has worked to help Americans in their retirement years by increasing access to various types of retirement savings plans to ensure that the widest range of people save for their future. His legislation gave businesses, particularly smaller businesses, the tools needed to offer retirement plans to workers at the lowest possible cost, leveraging the interface of government policy with the market to improve the lives of many in their retirement.

In his tenure, he pushed for sound solutions to the pension issues facing State and local governments. Again, using the interface between government policy and the market to lower the cost of medications. To increase access to healthcare, he promoted the use of sound policy to allow the American economy to thrive. It is this work that those of us who remain in Congress must now pick up and continue.

Scripture says that "the greatest among you shall be your servant." We have been blessed to have had Senator HATCH's wisdom and leadership in the Senate. We have been blessed to have had his wisdom and leadership for our country, and we thank him for his great service to the people of Utah, to the people of Louisiana, and to all Americans.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I am grateful to my colleagues and especially my colleague from Louisiana for his kind remarks on the floor of the U.S. Senate. It means so much to me. I want him to know that.

I want the others to realize how much I appreciated their taking time to come to the floor and expressing their opinions about my service in the Senate.

This is a difficult thing for me because I love the Senate. I love both sides. I love my Democratic colleagues. It is no secret that I have worked with both of them to bring great legislation to the floor of the Senate and to pass it.

I have to say to the colleagues on my side, there isn't one of them I don't respect. Every one of them I have great fondness and affection for. I sure appreciate the Senator from Louisiana and the others who have spoken here today.

I am genuinely touched by the kind words and thoughts from my respected colleagues, Senators GRASSLEY, PORTMAN, TOOMEY, and of course CASIDY. I say to them, you are all dear friends, excellent Senators, and I am very grateful for your comments. More than that, I am deeply grateful for your friendship and the impact your

dedication and patriotism have had on me. Of course, that also holds true for all members of the Finance Committee with whom I have had the honor and privilege of serving.

Recently, in the Finance Committee, we passed comprehensive tax reform, a 10-year CHIP extension, saw a health insurance protection extension, a critical 5-year extension of the highway trust fund, and TPA, along with several other trade bills. I can say with great confidence that most of these accomplishments would not have borne fruit without help from each of the Senators and many of our friends on the committee.

Today marks one of the last times I will have the opportunity of standing before the Senate to speak on my work within the Finance Committee's vast jurisdiction and, of course, the fights and victories I have been a part of.

While we may not have been able to close on many of these achievements until recently, they have all been built on hard work that I, other members of the committee, and the wider Senate have engaged in over the past few decades.

For example, earlier this year, I was very happy to see a 10-year reauthorization of the Children's Health Insurance Program, or CHIP. Ten years, that is the longest CHIP extension in the history of the program, and I am grateful to my colleagues for it. It is a program that provides insurance to over 9 million children in distress a year.

Creating CHIP was a bipartisan model of success. Senator Ted Kennedy and I were only able to pass CHIP the first time because we both were willing to cross the aisle to see this program succeed. This bipartisan work ethic extended to many pieces of legislation I worked on while on the Finance Committee.

In 2015, we were able to renew Trade Promotion Authority, which is one of the most important tools Congress has that allows us to work hand in hand with the executive branch to advance our Nation's trade agenda. TPA helps to ensure our trade agreements are held to the highest standard.

Not every piece of legislation I am proud of has gone through without a fight, though. We can't forget last winter, when I was so proud to be a part of shaping the historic tax reform legislation that is boosting economic growth today, lowering unemployment today, and spurring job creation today. We worked hard in the Finance Committee to fix the broken Tax Code and, by all accounts, it appears we did a pretty good job.

This legislation was built on years and years of work in the Finance Committee, and I am very appreciative of my colleagues. I led the creation of working groups, released opinion papers and recommendations, and held 70 hearings on how to improve the Tax Code since I became the top Republican on the Finance Committee.

As part of tax reform, we were also able to repeal the individual mandate tax, which forced Americans to buy health insurance they did not want or could not afford.

These are just a few of the accomplishments I have been privileged enough to shepherd through during my service, and they are darn few compared to what we have been able to do. While I am proud of these accomplishments, there is always more to be done, which is why, in addition to thanking all my friends, colleagues and mentors throughout the years, I would like to share some parting words of advice that I have picked up through my work on the Finance Committee, and other committees, for those who will remain in this Chamber.

I see these next few years as critical to the future of our country, to the future of our ideals, and to the future of freedom not only here but throughout the world. As such, I have a few suggestions I would like to make to my colleagues.

First, be earnest, be honest, and guard at all times your integrity. If we cannot take the time to think deeply about an issue, to reason it out, and speak honestly among ourselves and our constituents, it will be impossible to enact lasting and meaningful change.

To quote my good friend Senator KENNEDY, "Integrity is the lifeblood of democracy. Deceit is a poison in its veins."

That means sometimes, often when it is least convenient, we must speak the hard truths. That process will often lead to discord, falling short, or struggling for years to fix vexing problems or disagreements. As Winston Churchill once famously said, "You have enemies? Good. That means you stood up for something, sometime in your life."

So have courage and act.

Second, if you don't care who gets the credit, you will be amazed at what you can achieve. In politics, that can be a hard sentiment to swallow, but focusing on taking the credit more often than not undermines outcomes. Most of the pieces of legislation I am most proud of had dozens of cosponsors, were widely seen as bipartisan, and have remained on the books largely because I did not get everything I wanted.

An article of my faith is, "If there is anything virtuous, lovely, or of good report or praiseworthy, we seek after these things."

That article speaks only to the results and not at all about taking the credit. The more I learned to focus on that principle, the better off I have been.

Finally, be grateful, be kind, and be quick to forgive. At the end of the day, my friends, we are all people, and people often disagree. Our differences may be as innumerable as our similarities, but if we start with the premise that every Member's intent is to improve our country and the life of its citizens, then our disagreements are logistical, not personal.

I have always truly believed that just about every Member of this body wants to do the right thing for the American people, but they sometimes want to go about it in different ways. What we must never do is question a fellow Senator's dedication to their country; we must never question their dedication to democracy; and we should never disparage them personally when each of us has given so much.

Our job in Congress is the difficult task of aggregating disparate preferences and molding them into laws to make people's lives better. That leads to what many describe as sausage making. The process generates heated debates and sometimes rancor. Yet I have no doubt about the convictions to do good on the part of all of my esteemed colleagues on the Finance Committee and in Congress in general. I have no doubt about how sincere and convicted my good colleagues really are. I have enjoyed everyone here.

I have to say that if you work hard and you study hard and you open your mind to the other person's ideas and ideals and you are willing to make some changes that accommodate others and you are willing to realize that you don't have all the answers, then you can have a great time here, you can be very successful and, in the end, be able to retire, as I am, feeling like I have done good work here.

I love my colleagues on both sides of the aisle. I respect my colleagues on both sides of the aisle. I love this country with every fiber of my being. I love the Constitution, which gives us freedoms that we all take so much for granted throughout this country. I am grateful for honest, decent people like all of the Senators whom I have served with in the U.S. Senate, both now and in the past. I am grateful for the Senate rules.

I am grateful a little, scrawny U.S. Senator from Utah could lead a fight against an outrageous labor bill that everybody knew was wrong and actually win it on the floor of the Senate because of just guts and the ability to stand here and take the abuse. Labor law reform dramatically changed this country, nearly ruined our country, without really helping the unions.

I was raised in the union movement. I actually held the union card I earned through apprenticeship, my journeyman's license. I am proud of that. I am proud of my union friends, but when you try to take unfair advantage, somebody has to stop it, and I am grateful I was given that assignment early on with this matter, with 62 Democrats and only 38 Republicans. I can still remember a number of Democratic Senators coming up to me and saying: Hey, kid—because I was still pretty young then—hey, kid, you have to win this. This is bad for the country.

And I asked them: Are you going to help me?

And more often than not they would say: Well, I can't help you, but I am with you.

There was a lot of pressure. There was a lot of effort made to try and stop men and women from doing what was right. If we had not won on labor law reform, we would have gone straight to socialism, and it would have been the end of this great country. We have come close a few other times as well.

This is, without question, the greatest country in the world. Without question, this is the greatest deliberative body in the world. Without question, I acknowledge my colleagues on both sides of the aisle as tremendous statesmen and women who really have been here for the right reasons. I am grateful I have had the opportunity of serving in this body, and I am grateful for the 42 years I have put in. I can't say I have enjoyed every one of those years, but looking back on it, I think I have to say that I have really enjoyed being here.

I love my colleagues on both sides of the aisle. I respect my colleagues on both sides of the aisle. I want this body to continue on and be successful for America, not only for America but for the rest of the world because this is where freedom really exists. This is where freedom can be maintained. This is where freedom can be felt in your guts. I felt it. I know a lot about freedom. I know a lot about the U.S. Senate. I know a lot about my colleagues and the good things about them. I am going to remember the good things; I am not going to remember things that used to irritate me or wrangle me. There weren't many of those compared to the good nature and quality of my colleagues on both sides of the aisle.

I am grateful for this body. I am going to miss it terribly. I think there comes a time when you really ought to hang it up, not because I can't do this work anymore—I sure can—but because I worked hard to get a worthy successor, and Mitt Romney is going to be that. He is an outstanding human being. He is an honest, decent, morally upright human being. I think he will work hard and be a great asset to the U.S. Senate. He will not have the seniority I have as the most senior Republican in the U.S. Senate, but he has a lot of things going for him, and I suspect he will make a great addition to the U.S. Senate. Knowing that he was willing to run, having chatted with him and talking to him about running, I feel really decent about wrapping it up and saying not goodbye, but I will be watching. I will be praying for you. I will be doing everything in my power to support both Houses of Congress in this, the greatest country in the world, with the greatest set of legal principles the world has ever known and I think with the greatest people we have ever known.

So with that, I express my gratitude to the U.S. Senate, to my colleagues on both sides of the aisle, both presently in the Senate and those who have gone on to other worlds. I personally express gratitude to everyone here because virtually everyone has shown me great favor and great kindness.

When I came here, I came here to fight Senator KENNEDY because I thought he was too liberal and that he was not a good Senator. I don't think he had passed really any legislation when I got here. I don't think he did until I became chairman of the committee, but he was a great legislator, and he did have an awful lot to say on his side. I think he would be the first, if he were alive today, to say we finally talked it out together, decided to work together, decided to accomplish things together, decided to stand together. When we were in battles, they were really hard-fought battles, but they were battles on principle, for the most part.

I have to say I am grateful for the experiences I have had in the Senate with virtually every Senator who has been in the Senate. In all of my years of being here, I have to say I have love for every one of the Senators who has served here. There are a couple I have less love for, but by and large I even have love for them.

These folks in this Senate are really good people. They care about the country. They care about trying to do what is right. They are willing to fight for their principles, and they can be worked with. I challenge my colleagues to work together with the best interests of this country. If you will, this country is going to go on and be a very, very happy, prosperous, and successful country.

I will end by saying I am so grateful for the privilege of being in this body for 42 years and knowing all of you, including our clerical workers, our stenographers, and, of course, the Parliamentarians, Secretaries, and all of the people affiliated with the U.S. Senate. No wonder it is the greatest deliberative body in the world.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

NOMINATION OF THOMAS FARR

Ms. KLOBUCHAR. Mr. President, I rise today on two matters. I wish to begin by expressing my opposition to the nomination of Thomas Farr to the Federal District Court for the Eastern District of North Carolina.

As a Senator from a State with a tradition of high voter turnout—in fact, in the last Presidential election, with the highest voter turnout in the country—in the election a few weeks ago, nearly 64 percent of Minnesota voters cast their ballot. This isn't just registered voters; it is eligible voters. We are talking about an issue that, in my State and in so many places around the country, is fundamental to our democracy—access to the polls. It is the central pillar of our democracy. If people

can't vote, they can't have a say and we don't have a real democracy. It is that simple. That is why I am here to voice my opposition to Thomas Farr—because of his long record of defending discriminatory voting laws and redistricting plans.

In North Carolina, Mr. Farr defended one of the most restrictive voting laws that we have seen, which, in addition to establishing a discriminatory voter ID requirement, eliminated same-day voter registration.

By the way, I have spent a lot of time on this and have a bill to institute this across the country. Same-day voter registration is really the key. When you look at the top 10 States for voter turnout—some are red, some are blue, some are purple—what do they have in common? They have same-day registration. It makes it easier for people to vote. As long as they can prove where they live—with a neighbor, with a gas bill, you name it—they are able to register that day. That is the key when you look at all the numbers.

What did Mr. Farr do? He actually defended one of the most restrictive voting laws, eliminating same-day voter registration. He reduced early voting and did away with voter registration for 16- and 17-year-olds. How did he do it? He did it by defending those laws.

When the law was challenged in court, the Fourth Circuit Court of Appeals found that it was enacted with the intent to discriminate against minority voters. In its ruling, the court said that the law targeted minority voters. This is a quote from the circuit court, which is actually one of the more conservative circuits. They said that they did it with “almost surgical precision.”

Mr. Farr also defended North Carolina's redistricting plan against claims that it used race as the predominant consideration in drawing two congressional districts. A district court found that the plan constituted an unconstitutional racial gerrymander. The case went all the way to the Supreme Court, which agreed with the district court's decision.

So you don't have just one incident of someone maybe getting on a legal brief or writing something or doing a law review article or writing a paper in college or in high school. This is a long, consistent, systematic record of defending discriminatory voting schemes. And I say “schemes” because that is what they are. They are done with the intention to discriminate against people of color.

We should be making it easier to vote in our elections, not harder. That is why I am introducing legislation to automatically register eligible voters when they turn 18. That would be so easy. We wouldn't have to have all these fights all the time. We have modern-day technology that lets my hometown company of Target find a pair of shoes with a SKU number in Hawaii. There is no reason we can't go through

the records and make sure we simply register people who are legal to vote when they turn 18.

It is not just Mr. Farr's work in the courts that is concerning; I am also troubled by his involvement in a political campaign that was accused of engaging in tactics to discourage, once again, African Americans from voting. The Department of Justice's Civil Rights Division filed a complaint alleging that the campaign Mr. Farr worked on sent tens of thousands of postcards to heavily African-American districts intended to intimidate voters. According to a former Department of Justice official who investigated the campaign's alleged voter-intimidation tactics, Mr. Farr's answers to the Judiciary Committee denying his involvement were “contrary to the facts.”

Finally, I would like to remind my colleagues about the history of this vacancy. The Eastern District of North Carolina is 27 percent African American; yet the district has never had an African-American Federal judge. Before Mr. Farr was nominated, two other nominees were submitted to the Senate during the previous administration. Both of those nominees were African-American women. Neither of those nominees received a vote.

Our courts must be dedicated to upholding the law, including safeguarding citizens' constitutional rights to vote. The future of our democracy depends on it.

I am opposing this nomination.

DEATH OF JAMAL KHASHOGGI

Mr. President, I now turn to another topic. I rise today to call for a forceful response to the murder of Jamal Khashoggi and to hold the Saudi Government accountable at the highest levels. Our country is stronger and safer when our core democratic values—values of freedom of the press and the protection of human rights—are at the heart of our foreign policy.

It has been almost 2 months since Jamal Khashoggi's heinous murder. He was a resident of the United States and a respected journalist with the Washington Post. People across our country have been rightfully appalled by his death. All he was doing was going inside the consulate in Turkey to try to get his marriage papers so that he could get married to his fiancée. That was what was happening, but it turns out he was actually lured there—lured to his death.

We were then treated to an incredible coverup by the Saudi Government, with shifting explanations, inadequate cooperation with investigations, and use of authoritarian tactics to silence critics. News reports have made it clear that the CIA believes with high confidence that the attack was called for at the highest level of the Saudi Government.

I look forward to hearing from Secretaries Pompeo and Mattis regarding how the administration plans to respond when we have the briefing that

has been scheduled for tomorrow. Unfortunately, the President has repeatedly dismissed his own intelligence community's assessment of these deeply troubling events. Of course, this is not the first time we have heard this. We heard this with Russia, when every single one of his intelligence heads clearly said that there had been interference in the last elections and that the Russians were emboldened to do it again. But the President again backed away from that, did not embrace that assessment, and then made policy decisions and statements when he was with Vladimir Putin that undermined that intelligence community. This appears to be what we are seeing again.

The President's response stands in stark contrast to the founding principles of our democracy. If the President refuses to defend the values of this country, then this Congress must.

First, we must hold anyone who ordered and participated—including the Crown Prince—in Mr. Khashoggi's death responsible. To do that, the administration must conduct a full, transparent, and credible investigation.

Second, while the sanctions that the administration has imposed on 17 Saudi officials are an important first step, more must be done. I support Senators CORKER and MENENDEZ in calling on the President to report to Congress on whether the Crown Prince is responsible for this murder. That is what they are supposed to do under the Global Magnitsky Act. If, as reports suggest that the CIA has assessed, the Crown Prince was involved, the sanctions must apply to him too. No one is above the law.

Third, I support suspending nuclear energy talks with Saudi Arabia. It has recently been revealed that the administration has been in extensive talks with Saudi Arabia about nuclear energy. I appreciate that five of my Republican colleagues have come out in favor of suspending these talks, and, of course, that is the right thing to do.

Fourth, I will work with a bipartisan group of my colleagues to limit the sale of weapons to the Saudi military. This is our leverage. This is our leverage to ensure that this investigation is completed; to ensure that these sanctions are implemented and followed; to ensure that this never happens again; and also to send a message to the rest of the world—all of the authoritarian regimes who are watching what happens here—that you don't do this to journalists for American newspapers, that you don't do this to American residents who are simply going back to get their marriage completed.

I previously voted against arms sales to Saudi Arabia, and I will continue to oppose the sale of certain weapons—particularly offensive weapons—to the Kingdom.

The Saudi Armed Forces are so reliant on U.S. military equipment that this argument that they are going to immediately shift to Russia and Chi-

nese suppliers—that would be extremely difficult. So we should exert the leverage that we have now.

There is no question that the United States and Saudi Arabia have common interests in the region and that for many, many years, Saudi Arabia has been our partner. But partnership doesn't require sacrificing our values in exchange for promises of arms sales, oil, or other financial gain. We must be able to cooperate with our partners in the region, while at the same time making clear that we will not overlook human rights abuses or the suppression of peaceful dissent.

The recent actions of the Crown Prince, who many hoped would be a forward-looking reformer, have raised serious questions about our relationship with our partner Saudi Arabia. From expelling the Canadian Ambassador because of a tweet, to the suppression and murder of political dissidents, to what happened with Mr. Khashoggi, to ruthlessly pursuing a war that has resulted in countless civilian casualties in Yemen—the brazen actions of the Saudi leadership must be confronted head-on.

The ongoing war in Yemen has created one of the world's worst humanitarian catastrophes that will impact the safety, security, and stability of the country for decades to come. All you have to do is look at the photos of those little children starving to know that this is wrong.

While I support the administration's recent decision to suspend U.S. aerial refueling for the Saudi coalition, I am concerned that the administration lacks a comprehensive strategy for ending the conflict, including effectively countering Iranian influence. I believe it is very important, by the way, that we put this suspension into law.

I supported a resolution that would have ended U.S. support for the Saudi-led coalition military action in Yemen. I supported that when we voted on it last time and voted for the McCain National Defense Authorization Act, which included a provision that prevented the U.S. military from supporting the Saudi-led coalition's operations unless Saudi Arabia takes steps to alleviate the humanitarian crisis and end the war in Yemen.

I also support the comprehensive, bipartisan legislation introduced by my colleagues to ensure effective oversight of the U.S. policy on Yemen and demand meaningful accountability for the murder of Mr. Khashoggi. Provisions of this legislation, including the suspension of weapons sales to Saudi Arabia, imposition of mandatory sanctions on people involved in the death of Mr. Khashoggi, and a prohibition on U.S. refueling of the Saudi coalition aircraft engaged in the civil war, are very important.

Our response to this murder and the Saudi regime's ruthless suppression of dissent will serve as a lesson to other nations that would do the same.

I have really appreciated the Presiding Officer, Senator FLAKE, standing up for the freedom of the press. Mr. Khashoggi was a journalist. He was simply doing his job. He was doing it with grace. He did it all over the world. And he loved his home country, and look what happened to him.

We must demonstrate that it is unacceptable to suppress, to imprison, and to violently target peaceful opponents of any regime or reporters and that the United States will always defend human rights and hold anyone guilty of violating those rights accountable. Strong, bipartisan congressional leadership will help us demonstrate our resolve. I urge my colleagues to join me in supporting our colleagues' resolution that will come before the Senate, I hope, later this week.

I yield the floor.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from Arizona.

INF AND NEW START TREATIES

Mr. KYL. Mr. President, today, along with several other colleagues from the Senate, I wrote to the President on the subject of the possible extension of the New Strategic Arms Reduction Treaty, or New START.

Several people have been encouraging the President to begin studying whether we should extend New START, which expires in 2021. That is a couple years from now, but obviously, if one is going to consider renewing something of this import, it is good to be thinking about it early. In this regard, we offered to the President suggestions of things that he should take into consideration in determining whether to extend New START with Russia and whether to begin negotiations with the Russians. We suggested three things that he should consider in deciding whether to proceed with these discussions. I am going to discuss one of them in great detail, but the first two are also important because they represented factors that were considered by the Senate at the time that it ratified the first START agreement.

The Senate declared in the New START resolution of ratification that "the United States is committed to proceeding with a robust stockpile stewardship program and to maintaining and modernizing the nuclear weapons production capabilities and capacities that will ensure the safety, reliability, and performance of the United States' nuclear arsenal at the New START treaty levels." That was our commitment. That is what we said in the resolution of ratification, and President Obama had written a letter to the Senate confirming that it was his intention, as long as he was President, to follow this program of work.

Regrettably, what we posited as an underpinning requirement for participation in New START has not been maintained as the years have gone by. The infrastructure and weapons capabilities that were pledged at the time that the Senate gave its consent to the treaty have been significantly delayed

or reduced in scope, and the result of this is a risk that the symmetry that potentially existed between Russia and the United States as a result of the New START treaty will be changed and that the United States will be disadvantaged with the continuation of the New START limits.

Another consideration that we brought to the President's attention was also referred to in the resolution of ratification of the New START treaty—and this was in 2012, by the way—we said that the President should “pursue an agreement with the Russian Federation that would address the disparity between the tactical nuclear weapon stockpiles of the Russian Federation and of the United States in a verifiable manner.” We did that because even at the time that New START was ratified, the Russians had a 10-to-1 advantage in tactical nuclear weapons over the United States, and the New START treaty didn't do anything about that. It dealt only with strategic weapons.

We raised the issue with the Russians. We tried to negotiate it as part of the New START treaty, but Russia was not interested. We went ahead anyway, but what we said was that we really ought to try to address this asymmetry between what the Russians have and what we have in terms of tactical nuclear weapons.

By the way, that hasn't been done, either, so we thought it was important for the President to bear that in mind as he considered what to do about talking to the Russians about extending the New START treaty.

The reason it is important is that the Russians, with this enormous advantage in tactical nuclear weapons, have actually changed their doctrine of war to potentially use those weapons—to use nuclear weapons in a military conflict with the United States or our NATO allies. They believe that this might be beneficial to them under what has been called a doctrine of “escalate to de-escalate.”

What that means is, they start some kind of a conflict with little green men or other kinds of hybrid warfare where they can blame it on somebody else. Maybe there are some cyber attacks that are simultaneous and confuse the issue. In the context of all of this confusion, it is very difficult to put the blame anywhere, but the Russians are finally identified, and an actual military conflict breaks out.

Well, in order to dissuade NATO or the United States from stopping the Russian aggression, if that is what is going on here, the Russian doctrine says: We reserve the right here to use tactical nuclear weapons on the battlefield there, which would enable us to win the battle, obviously, and send a signal to the United States that “You had better just let us be. Stop there.” Maybe they will say: We don't intend to go any further, and so don't escalate this conflict because you can already see that we are willing to use nuclear

weapons, and if you escalate it, you can expect Russia to use nuclear weapons.

Obviously, we don't want to use nuclear weapons in a conflict. The reason we possess the nuclear weapons is to try to defer conflict. But our weapons are very large, devastating weapons that were built to be delivered on long-range missiles or bombers to the Russian—or then the Soviet heartland that could do great destruction to Soviet cities and military installations. They weren't designed to offset tactical attacks by another adversary, like Russia. So we don't have the kinds of tactical weapons that Russia has. As a result, we believe that, on this escalation ladder that could occur in a conflict, we are at a disadvantage, which is why we suggest to the President that in order to be sure that Russia doesn't ever miscalculate and determine that it is worth the risk to Russia to actually conduct an attack, including using nuclear weapons—we need to be sure that they don't miscalculate here, and the President should take into account this disparity in nuclear weapon capability between Russia and the United States today in determining whether to extend the New START treaty.

It may be that in renegotiating this, we need to take all of this into account. These are changed circumstances in doctrine since 2012; they are not changed circumstances in terms of the asymmetry of weapon possession.

There is a third thing that has changed—although in one respect it hasn't changed—that we also asked the President to consider, and that is the fact that a treaty is obviously only as good as the willingness of the parties to abide by it. In the case of the New START treaty, we would expect the Russians to abide by that, as we would expect them to abide by any other treaty. Well, it turns out that at the time that the New START treaty was ratified by the U.S. Senate, the Russians had been in gross violation of another treaty—the INF Treaty—and the government didn't make that clear until after the New START treaty was adopted.

The Intermediate-Range Nuclear Forces Treaty is a treaty of several decades long now that prohibits either Russia or the United States from developing or deploying a missile that has a range between 500 and 5,500 kilometers. This is a treaty that only binds Russia and the United States. It doesn't bind China, for example, which does possess these weapons. So both Russia and the United States would be at a disadvantage in a conflict with China, for example.

We were simply asking that the President consider whether Russia abides by the treaties that it signs, and in that regard, whether it has violated the INF Treaty. Well, it is a question that has already been answered. The U.S. Government has already confirmed—and others have as well—that

Russia has been in violation of the INF Treaty at least since the year 2008.

The onsite inspections regime of the INF Treaty terminated in 2001. It hasn't been particularly easy to verify, but the State Department's 2014 annual compliance report found that Russia was in violation of the INF Treaty. This is the first time we actually made our knowledge of this public.

In April of 2016, the U.S. Government, again, in more detail, revealed Russia's violation of the treaty, and it did so very explicitly, pointing to the particular type of weapon the Russians had been developing—a ground-launched cruise missile. In November of that year, the United States convened a meeting of the Special Verification Commission of the INF Treaty, and through this and other engagements with the Russian Federation, we provided detailed information to Russia about the nature of the violations of which we were aware. This is important because the *modus operandi* of the old Soviet Union was to say: We are not in violation of the treaty. If we are, prove it to us. Then the United States would have to come forward with information we had gathered through intelligence sources that would demonstrate how we found out they were in violation, thus compromising our so-called sources and methods. We thought this violation was important enough to do that, and therefore we informed the Russians through the Commission of what we understood about their program, including information pertaining to the missile, the launcher, Russia's own internal designation for the mobile launcher chassis, and the names of the companies involved in developing and producing both the missile and the launcher. We gave information on the test history of the ground-launched cruise missile program—the GLCM—that we were aware of, including the coordinates of the test and Russia's attempts to obfuscate the nature of the program. We provided all of this information.

We also provided knowledge about the range—between 500 and 1,500—and the fact that violating the treaty with this missile was actually distinct from two other missiles that Russia had developed. I will not give you the descriptions of them, but we have them, and we made all of that public.

We even gave, in a subsequent report, the 2018 annual compliance report, the specific designator for this missile, the 9M729.

We continued to raise these issues throughout 2017, 2018, and in fact it wasn't just the United States. In December of 2017, the North Atlantic Council urged Russia to address the serious concerns raised by its missile system “in a substantial and transparent way, and actively engage in a technical dialogue with the United States.”

Just a couple of weeks ago, on November 12, NATO Secretary General Stoltenberg stated in a speech that

“the deployment of new Russian missiles is putting this historic treaty in jeopardy.”

He was talking about the New START treaty. He completed his thought by saying: “Russia now acknowledges the existence of a new missile system.”

If Russia cannot be trusted to comply with treaties and if we have this long history of violation of the INF Treaty and now the President is being asked to consider reupping the New START treaty, we urge him to consider this in the context of Russia’s current violations. Clearly, at a minimum, this would call for additional verification and enforcement with respect to the New START treaty.

It seems to me it calls for more than that because Russia has clearly believed it is in its country’s best interests to blatantly violate the INF Treaty and take whatever the consequences are rather than abide by the treaty. If it believes that with respect to the development of a new cruise missile, it could very easily conclude the same with respect to violations of the New START treaty irrespective of any sanctions or other punishment the United States would mete out.

There is very little one can do to a country that chooses to unilaterally violate a treaty. You can point it out, you can say they shouldn’t do it, and you can pull out of the treaty itself, but that doesn’t fix the problem; namely, their violation in the first place.

We have actually acted on some things with regard to the INF violation. In December of 2017, the United States imposed economic sanctions on the two Russian companies that were involved in the design of this prohibited missile. We also began examining the range of military options for the United States, both that were INF Treaty-compliant and also what would happen were we to leave the INF. By the way, the President has unofficially said that in view of the Russian violation, the United States will leave the INF Treaty. He hasn’t made that public announcement formally yet, but it is clear this is what he intends to do. Under the circumstances, one can hardly blame him when the Russians have gone ahead to develop a missile that threatens both Europe and U.S. interests, and we need to react to that in various ways.

One of the things we have done is for Congress to authorize the administration to study what we ought to do in response, both in terms of potential active defenses and potential offensive capabilities to match what the Russians have done. In the 2018 National Defense Authorization Act, we authorized \$58 million to develop active defenses to counter ground-launched missiles of the prohibited range and counterforce and countervailing capabilities to prevent attacks from these missiles and also to establish a program of record to develop an intermediate range, conventional, road-mo-

bile, ground-launched cruise missile of our own. There are additional potential military response options that obviously come to mind, but the point is, there are two countries to an agreement, and when one country deems it important enough to violate the agreement, even to suffer whatever consequences may exist, then the President ought to take this into consideration in deciding to extend yet another nuclear weapons treaty; in this case, the New START treaty.

There are some other things I think the United States would want to consider doing that it can only do if it leaves the INF Treaty, and that is why I think the President is wise to, in effect, give the Russians notice that this is what we intend to do. Russia can still try to come back into compliance, I suppose, by destroying not only the weapon itself, the cruise missiles it has already deployed, and destroying the launchers on which these missiles would be launched because they too would be in violation of the INF Treaty. They have time to do this.

By announcing in advance his intentions, the President has also given us an opportunity to think about our future. It doesn’t do any good for defense planners to think about potential weapons or defenses that the United States could develop if there is never a prospect, in the case of the offensive weapon, of ever actually building it or deploying it. That is a career-ender to be sure. The INF Treaty would currently prohibit that. So nobody is going to spend any time planning activities for the United States that would themselves be a violation. By letting Russia know we are now willing to consider doing that, Vladimir Putin should understand that the President is serious about potentially withdrawing from the treaty. Hopefully, that would give him time to think about the consequences and decide to come into compliance, but it may not.

If it doesn’t, and he remains out of compliance, then not only could the United States potentially develop weapons of our own to counter the Russian violation, but we could also begin thinking about what this means in terms of other treaties we have with Russia, changes that we would want to make in order to ensure that these treaties are worth complying with.

The New START treaty only applies to the United States and Russia. What it says is, we will both maintain an existing level of nuclear weapons—a little over 15,000 each. The United States had to bring our stockpile down to meet that level. Russia did not. So the practical effect of the New START treaty, at the time, was for the United States to reduce its nuclear weaponry and Russia basically to do nothing.

What Russia has done in the meantime, however, is to continue to work on the modernization of its strategic missile and nuclear weapons programs. It has developed new missiles. It has tested. It has developed new doctrine,

as I said, in the potential use of nuclear weapons, and it has a capability for nuclear warhead production that the United States does not have.

It is not known today, but we don’t have a nuclear weapon warhead production capability. We couldn’t do it. We could build one in a lab or two over time. Russia has a production line, and it is constantly replacing the warheads it has with new warheads and developing new missiles, as I said. Now, I think all of that is relevant to the consideration of whether we should stay in the New START treaty. If we think Russia will comply with the terms, maybe we would conclude again that it is wise to stay in that treaty. This is a little hard to conclude, however, if Russia remains in violation of the INF Treaty.

For all these reasons, we thought it important to recite a little bit of the history of the New START treaty and to quote from the resolution of ratification so the President could see what the Senate’s intention was when that treaty was ratified at the end of 2012 and to think about what those factors mean in today’s world if the President has an intention to think about potentially extending the terms of the New START treaty.

Again, it doesn’t happen until 2021. It is smart to start thinking about it now, but in thinking about it, instead of just blindly considering that it is a wonderful thing and we need to move forward with it without expressing an opinion against extending it, the signers of this letter wanted the President to appreciate some of the background and to understand what we thought the intentions were and what we hoped would occur after the New START treaty was adopted and ratified and how we thought it would improve the relationship between Russia and the United States at the time. If anything, conditions have gotten worse, not better. As a result, these are factors the President should take into consideration when determining whether to consider extending the New START treaty.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

NOMINATION OF THOMAS FARR

Ms. WARREN. Mr. President, for decades powerful interests have been working to take over our courts and tilt the scales of justice in favor of billionaires and giant corporations. President Trump has been all in, nominating extreme and partisan judges to the Federal judiciary at lightning speed.

Trump’s judges can easily fill a “Who’s Who” of radical, rightwing, pro-corporate lawyers, but today I

want to focus on the nomination of one of the worst of the worst: Thomas Farr, Trump's nominee to serve on the Federal District Court for the Eastern District of North Carolina.

Thomas Farr has made his name as the go-to lawyer for the rich and powerful. When the rental car company Avis and its franchisee were sued for discriminating against African-American customers, Farr defended the franchisee. When Pfizer was sued for sex discrimination and creating a hostile work environment, Farr was there once again representing the company.

Today, just a few weeks after millions of Americans went to the polls to exercise the basic right at the core of our democracy, I want to focus on one of the most pressing reasons my colleagues should vote against the Farr nomination. His nomination will only deepen a plague of voter suppression aimed at stripping Americans—particularly people of color and marginalized groups—from exercising their lawful right to vote.

Voter suppression is front and center on Farr's resume, including his work for Jesse Helms, the former U.S. Senator and shameless bigot. Farr worked as Helms' campaign lawyer while Helms led some of the most blatantly racist political campaigns in modern history. For example, to decrease Black turnout, Helms' Senate campaign mailed postcards to 125,000 voters in predominantly Black precincts, falsely claiming they could be found ineligible to vote based on specific criteria involving their location and length of residence and warning that they could face criminal penalties if they voted.

That is just the beginning. In recent years, Farr represented the North Carolina Legislature in a case challenging a discriminatory voting bill that, according to one Federal appeals court, targeted African Americans with "almost surgical precision." The legislature conducted research into voting practices that helped increase turnout among African-American voters and then wrote a bill that essentially eliminated each of those practices. Farr was there to defend the legislature when faith groups, civil rights groups, and the Obama administration's Justice Department challenged the discriminatory law. The law was ultimately found unconstitutional by the Federal appeals court and was not reinstated by the Supreme Court. Later, when North Carolina redrew its district lines in ways that discriminated against African Americans, Farr was there once again to defend the legislature.

Thomas Farr's nomination is particularly troubling given the blizzard of efforts in recent years aimed at stopping Americans from casting their votes. State after State has passed restrictive voter ID laws, purged voting rolls, limited opportunities to register, and erected other barriers to the democratic process.

We saw voter suppression rear its head during this year's midterm elec-

tions, perhaps most vividly in the State of Georgia. Democratic gubernatorial candidate Stacey Abrams ran a grassroots campaign that sought to lift up Georgians from all backgrounds and to lead a record turnout vote among African Americans, LGBTQ individuals, and young people, but her opponent, Georgia's Secretary of State Brian Kemp, not only refused to recuse himself from overseeing the same election that he happened to be running in, but he openly used the power of his office to suppress voters, especially in communities of color.

In North Dakota, the Republican-controlled legislature passed a voter ID law that required prospective voters to present an ID with an address, but not just any ID with an address, one that contained a residential street address. Now, this law disproportionately disadvantaged voters in Native American communities, which sometimes use post office addresses or other kinds of residential addresses, rather than residential street addresses.

What we saw in Georgia and North Dakota was egregious, but it was by no means new. According to the Brennan Center for Justice, since 2010, 24 States, most of which are under Republican control, have implemented measures to make it harder for American citizens to vote.

The Republican Party and President Trump are leading this effort with a bull's-eye on Americans who may not be inclined to vote for them. After the 2016 election, Trump falsely claimed that millions of people voted illegally, and months after taking office, he established a sham voter fraud commission. Trump's Justice Department has been in lockstep, reversing its position in a case challenging Texas' discriminatory voter ID laws, requesting that States turn over voter roll information in an apparent move to purge voter rolls, and filing a brief in an Ohio case arguing that it should be easier for States to purge voters from voter rolls.

Republicans know that every time they try to lock voters out of the Democratic process, they are going to get challenged in court, but they have a plan for that. They have been working at breakneck speed to stack Federal courts with a cadre of conservative Federal judges whose records show that they have no intention of protecting democracy. Why? Because the fight for our democracy is a fight over who government works for. Does it work for the rich and powerful or does it work for all of us?

Putting Thomas Farr on the bench is a way for politicians to wall off access to the democratic process so they can keep on working for billionaires and giant corporations. The Eastern District of North Carolina, the district in which Farr has been nominated to serve, is 27 percent African American. Yet the Federal court has not had an African-American judge—not one, not ever.

President Obama attempted to change that by nominating two impres-

sive African-American women to serve as judges in that district, individuals dedicated to ensuring that every American had an equal opportunity to democracy, but Republican Senators refused to allow their nominations to move forward. Now Republicans want to hand that seat to a man who has made it his job to make it harder for North Carolinians to exercise the right to vote.

The literacy tests, poll taxes, and grandfather clauses of the Jim Crow era may be of a bygone era, but today, Americans—and particularly Americans of color—face new, steep barriers to the ballot box. Farr has made it his job to ensure that those barriers remain in place.

If we truly believe that our court should defend equal justice under law, then every Member of this Chamber must vote no on Thomas Farr.

SANDERS-LEE-MURPHY RESOLUTION

Mr. President, I rise today in support of the Sanders-Lee-Murphy resolution to stop the U.S. military's involvement in the Saudi Arabia-led bombing campaign in Yemen. I am a cosponsor of the resolution, and I thank the Senators for their strong leadership on this important issue.

The resolution would direct President Trump to stop our involvement in Saudi-led military operations in Yemen unless Congress provides specific authorization. It would allow our counterterrorism operations against al-Qaida and its affiliates to continue, but it would ensure that the United States is not giving the Saudis a blank check.

For over 3 years, Saudi-led coalition warplanes—refueled and armed with missiles by the United States—have been bombing Yemeni territory to counter Iranian-backed militias. Thousands of Yemeni civilians have been killed as a direct result of this dangerous proxy war between Saudi Arabia and Iran, but when I asked the general who leads our forces in the Middle East about it earlier this year at an Armed Services hearing, he said we weren't even keeping track of where those U.S.-armed and U.S.-refueled planes were going, and he couldn't tell me what they hit when they got there.

I am glad the Trump administration has finally come to its senses and halted its refueling support to the Saudi-led coalition, but this is too little, too late. It is too late to save as many as 85,000 Yemeni boys and girls under the age of 5 who have already starved to death, and it is too little to save the countless children and families who are currently starving as famine spreads throughout Yemen.

Instead of taking decisive action to address this humanitarian crisis, the United States continues to sell weapons and provide other support to the Saudi-led coalition. The administration continues to cover for Saudi actions, the most recent in a rambling, incoherent, shameful statement from the President himself.

I know that Iran's actions in Yemen are destabilizing. Iran is making the conflict worse, and that is unacceptable. But let's be clear. Saudi Arabia is the one receiving American weapons and support. The ugly truth is that the United States is complicit in the deaths and devastation in Yemen, and we need to hold our partners and our allies accountable. We need to end U.S. support for this war, and we need to end it now.

Remember who we are dealing with here. The CIA has reportedly confirmed the clear involvement of senior Saudi officials—up to and including Crown Prince Muhammad bin Salman—in the horrifying brutal murder of Saudi journalist and U.S. resident Jamal Khashoggi last month. That tells us everything we need to know about this so-called ally.

It is long overdue for Congress to take real action to help put a stop to the humanitarian crisis in Yemen. I will vote against any additional arms sales to the Saudis while the war in Yemen continues.

I will stand with my colleagues in both parties as they press for accountability in Jamal Khashoggi's death.

I will vote for the Sanders-Lee-Murphy resolution today, and I urge my colleagues to do the same.

The Yemeni people are suffering, but we can do something about it. It is time for Congress to grow a backbone and act.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

REMEMBERING JIM HANSEN

Mr. LEE. Mr. President, earlier this month, Utah lost one of our very finest—former Congressman Jim Hansen, a great leader, an amazing husband and father, and a fantastic, loyal friend.

It is my privilege to honor his life today. Jim's first and most important rule for getting involved in politics was "get involved because you have a cause, and not simply because you want a job." In fact, his own motivation to first run for local office was with the objective of improving the local water system in his small town of Farmington, UT, where the water supply was sometimes dirty and sometimes even nonexistent.

Though he had lived in Farmington, UT, for only a few years at the time, he was elected to the Farmington City Council in 1961, and he oversaw the installation of a new utility system—no small feat for that small town. That water system allowed the community to grow and to flourish, just as it continues to do to this very day. Thus began Jim Hansen's 42 years in public service.

After serving on the city council in Farmington for 12 years, Jim was elected to the Utah House of Representatives in 1973. He worked hard and eventually rose to the position of speaker of the house during his final term. It was then that Jim launched his congressional bid for Utah's 1st Congressional District, defeating five-term incumbent Gunn McKay in 1980. He got right to work in representing the citizens of Utah—this time at the Federal level. Among his proudest accomplishments were serving on the Base Realignment and Closure Commission and on the House's Natural Resources Committee. Jim took great pride in helping save Hill Air Force Base, in Northern Utah, from closure. Whenever he would hear a jet roaring overhead at a decibel level loud enough to break the windows, he would tell his children, predictably: That is just the sound of freedom. You are lucky to hear and live under that sound every day.

A great lover of the outdoors, so too was he proud of saving the environment from environmentalists, as he would say. Jim often sparred with environmentalists about wilderness issues and championed multiple-use policies for public lands, although he was also a sponsor of the 1984 Utah Wilderness Act, which designated wilderness in U.S. forest areas.

Ever a staunch Republican and always a man of humor, Jim Hansen delighted in reciting his own version of Proverbs 22:6. He would say: "Train up a child in the way he should go, and when he is old, he will vote Republican." Yet Jim was always known for being able to work across the aisle and was well respected by his Democratic colleagues. He served as the chairman of the House Ethics Committee during a partisan crisis among House Members over the investigation into former Speaker Newt Gingrich. Both parties, at the time, trusted him to handle any investigations fairly and impartially.

For 22 years, he tirelessly served the First District of Utah in the U.S. House of Representatives, becoming Utah's longest serving Congressman. After he announced his retirement in 2002—still at the top of his game—he said in an interview that he wanted to leave behind a legacy of hard work. Indeed, Jim Hansen did.

Not only was Jim hard-working, but he was also immensely generous. He did not keep his success for himself but for years offered mentorship to anyone who sought to navigate the political waters.

I myself was lucky enough to call Jim a mentor and a friend. When I first considered running for the Senate in 2010, he met with me at length and gave me a whole lot of very helpful advice and encouragement. Even though I was a newcomer with very little chance of success, he couldn't have been more generous with his time, with his wisdom, or with his words of support. When I announced my candidacy, he

stood by me and offered his full endorsement. So many others were also blessed by Jim's friendship and his loyalty.

A lesser known story that illustrates the quality of Jim's character involves his longtime friend Norm Bangerter, with whom he served in the State legislature. In 1978, both men had their sights set on the house speaker's post. They didn't want to run against each other, so they made a deal that Norm would step aside so long as Jim agreed to step aside in the future if they were ever interested in running for the same position again.

Jim hoped to become Governor of Utah. In the 1980s, after Jim had been serving in the House of Representatives for a few years, there was an opening for a Republican to take back the governorship, and everyone expected Jim to make a play for it, except that Norm wanted to run. So what did Jim do? Well, he stepped aside and allowed his friend to run for and to eventually win that position—a position that Norm Bangerter then held for 8 years. That was the caliber of Jim Hansen's character. He was a man of humility and integrity, who honored his word and always put others before himself.

I would be remiss if I didn't also mention Jim's piety in the truest, purest sense of that word. In addition to having a deep loyalty to his country and to his State, he had a deep loyalty to his family and his church. Jim married Ann Burgoyne in 1958, which he considered wisely to be the smartest choice he ever made. Their family grew to include 5 children and eventually 14 grandchildren and 1 great-grandchild.

Grandpa Jim was the center of their family, and his love for them animated so much of his life. His grandchildren fondly remember his jokes, stories, and genuine, unmistakable zest for life. His granddaughter Anna recounted that on Jim's 80th birthday, when he insisted on going water-skiing, he had waded into the lake while wearing his slacks and socks, with his grandchildren sloshing behind him, to fish out the ChapStick tubes and Tic Tac packs that were floating out of his pockets. That, of course, was Jim Hansen—full of life and spirit until the very end.

Before his involvement in politics and after he served in the Navy during the Korean war, Jim went on a mission for the Church of Jesus Christ of Latter-day Saints for 2 years. He also served as the bishop of the Farmington 2nd Ward and as the president of the Davis Stake. One of his jobs as bishop was to supervise the Farmington South Stake Center, which is where loved ones and dignitaries gathered to honor his life just this past week.

It is only fitting that we pay tribute to this honorable man, who so faithfully and nobly served God, family, and country throughout his entire life. Jim Hansen will be sorely missed by his family, friends, Utahns, and all those whose lives were touched and changed for the better by him. I have no doubt

that his legacy will live on for many years to come.

WAR POWERS RESOLUTION TO END UNAUTHORIZED U.S. MILITARY INVOLVEMENT IN YEMEN

Mr. President, the U.S. Constitution makes unmistakably clear the fact that in order to declare war, one must go through Congress. There are good reasons for this requirement. Whenever we go to war, we are making the greatest of moral decisions—decisions that will imperil the lives of those involved in that war, including and especially the brave young men and women who represent us in uniform and who fight to protect our freedom. The costs of war—and I speak not only of the economic costs but especially of the deep human costs associated with war—are such that these decisions should never be made lightly. It is for this reason that the Founding Fathers wisely put this power into the hands of those occupying the branch of government most accountable to the people at the most regular intervals.

You cannot declare war without going through Congress. Sadly, over time, some of this power has been neglected—neglected by the very Congress to which the power properly constitutionally belongs. Under the Constitution to which every Member of this body has sworn an oath to uphold, to protect, and defend, it is wrong to go into war without Congress's directing it, ordering it, declaring it. Yet, sadly, tragically, unconstitutionally, I believe, the United States has been involved as a co-belligerent in a civil war half a world away in Yemen, involved in connection with a Kingdom of Saudi Arabia-led coalition against the Houthi rebels.

What, one might ask, is the interest of the United States in this war? What is it about this particular civil war in Yemen that is important to keep the American people safe? That is a question that has never been fully answered. In fact, it is a question that has never been answered by the only branch of government that is capable constitutionally of making that assessment, of answering that question. We have never answered it.

It is not just a mere formality that we go through when we require Congress to declare war. It is about the debate that that starts, the conversation that occurs among the American people, the accountability that each Member of the Senate and each Member of the House of Representatives has to his or her constituents. It is about the fact that we have to be able and willing to look the American people in the eye—even our own constituents, our own friends and neighbors, even and especially those who are the parents and loved ones of the men and women who will be at the battlefield and will be asked, potentially, to pay the ultimate price for defending freedom. We have to be willing to do that. Yet we haven't because, for the last 4 years, we have been fighting someone else's war without a declaration of war by Congress,

without an authorization for the use of military force by Congress.

What, then, is the remedy? There are a number of things that we could do and that we should do. Among them are the procedures outlined by and provided in the War Powers Act. The War Powers Act gives us the ability to halt our military involvement where Congress deems it inappropriate.

A few months ago, Senator SANDERS and I ran a resolution to do precisely that—availing ourselves of the benefits of the War Powers Act. Sadly, that measure was narrowly defeated; it was tabled; it was halted from moving forward. It has been filed again. We are going to have an opportunity again very soon, perhaps as early as tomorrow, to vote on that yet again.

In the meantime, what has changed? We have continued to fight this war still in an unconstitutional posture, still without the American people having been adequately consulted, still without the American people's elected Senators and Representatives having made a decision to go to war, still without the opportunity for us to look in the eye our neighbors, our constituents, and the parents and family members and loved ones of our brave men and women in uniform who are asked to fight these battles and to tell them why it is that we are asking for this potential sacrifice of American blood and treasure. We have not done those things.

Since that time, we have seen some very unsettling realities unfold within the Kingdom of Saudi Arabia, with credible intelligence regarding the Crown Prince's involvement in and ordering of the death of Mr. Khashoggi. We now have not only the eyes of the American people on Saudi Arabia—more importantly, we have the eyes of people all around the world on the United States of America. It is not just about the death of Mr. Khashoggi, but Mr. Khashoggi's death and the way it came about and the way it is alleged and supposed to have been ordered by the Crown Prince of Saudi Arabia says something about us if we proceed undeterred in our fighting of an unconstitutional war on behalf of the Kingdom of Saudi Arabia. It is not just what the American people think about Saudi Arabia or about us in Washington; it is also about what the rest of the world will think about the United States of America if we turn a blind eye to this and if we continue to fight an undeclared, unauthorized, unconstitutional war that has no apparent connection to the safety of the American people, to the security of the American homeland.

This is why I respectfully—and with all of the urgency I am capable of communicating—implore my colleagues to support this resolution, to support the resolution to get us out of fighting Saudi Arabia's war in Yemen. It is not our war, not our security, not on our watch.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NOMINATION OF THOMAS FARR

Mr. BROWN. Mr. President, we have just been through a long election season, with a lot of close races. In States all over the country, voters had to contend with relentless attacks on their voting rights. We saw it in Ohio, where voters were purged from the rolls. We saw it in my mother's home State of Georgia, where more than 50,000 voter registrations were held up. Seventy percent of those were from Black voters. We know exactly who these laws are aimed at. It is people of color, and it is despicable. It is outrageous.

Rather than working to fix this problem, making it easier for voters to exercise their fundamental right, this administration and Republican leaders in this body and in State legislatures around the country want to put a man on the Federal bench who has supported unapologetic racists and defended voter suppression laws.

This body has done nothing to try to stop voter suppression. Controlled by Republicans, State legislatures around the country, in legislature after legislature, have, in fact, emboldened people who want to suppress voting rights.

Andrew Gillum and Stacey Abrams are two candidates each who would probably be Governor-elect right now if every voters' voices had been heard. Listen to what they had to say about Thomas Farr, the nominee for the Eastern District of North Carolina: "When it comes to the trifecta of voter disenfranchisement—voter suppression, racial gerrymandering, and restriction of voting rights—Thomas Farr is, sadly, one of the most experienced election lawyers in the country."

When it comes to the trifecta of voter disenfranchisement, he wins the award. He defended North Carolina's voter suppression laws—among the worst in the country. The Fourth Circuit Court said that the law targeted Black voters "with almost surgical precision."

He defended Jesse Helms in a lawsuit where Jesse Helms campaigned and sent 125,000 postcards to African-American communities, telling them that they would be arrested for voter fraud at their polling places. Considering the history of voter suppression in that State, imagine the terror, in many cases, in the eyes of those African-American voters who saw those postcards telling them that they could be arrested for voter fraud at their polling places. Of course many of them were not going to vote then, which is exactly what Jesse Helms and Thomas Farr wanted to happen. Thomas Farr defended Jesse Helms in court. To put

this man on the Federal bench is a national disgrace.

The cherry on top of this nomination is the fact that Barack Obama nominated two African-American women to serve on this court. Under the leadership of the gentleman down the hall, the Republican leader, MITCH MCCONNELL, this body didn't even give them a hearing. Instead of the choice of two African-American women who led over a decade, they want to put a man on the bench who defended segregationists and voter suppression. They want to put that kind of judge in that seat. It is a throwback to the worst moments of our history. This body shouldn't stand for it.

GM LORDSTOWN CLOSURE

Mr. President, around the time of the auto rescue almost a decade ago, I was watching the first Chevy Cruze come off the line in Lordstown, OH, at a plant that had been there in Youngstown, OH, for almost a decade. Two years ago, I was at the GM Lordstown plant for its 50th anniversary. I saw the pride the community takes in that plant. GM itself estimated 10,000 people turned out to watch the parade. The line to tour the plant stretched down the street and around the block. It is what this plant and this auto industry mean to the communities they serve.

When the news broke late Sunday night or early Monday morning that General Motors is closing this plant and laying off up to 15,000 workers in Ohio and around the country, one reporter for the Youngstown Vindicator tweeted that it was an "all hands on deck day, with just about everyone in the newsroom dropping everything to cover the GM Lordstown story."

Those reporters are not enemies of the people. In fact, these reporters are people who care about their communities, who don't make a lot of money, and who are willing to afflict the comfortable and comfort the afflicted. They are not enemies of the people. These reporters understood what these job losses will mean, not just to those workers but to this community in Mahoning Valley of about a half a million people.

While people's lives were being upended in Mahoning Valley and around country and while parents were having painful conversations around kitchen tables, local businesses were nervously looking at their balance sheets, do you know what happened? Wall Street traders were celebrating. As the announcement to lay off workers happened, the stock price went up. Look at what happened to their stock price after their announcement.

Wall Street and its cronies in Washington simply don't value workers, and they don't understand the dignity of work. They don't look at workers as vital to a company's success. Indeed, they view the American worker as nothing more than a cost to be minimized, and Wall Street rewards companies when they lay off workers. They reward companies when the workers'

pay is cut or their benefits are scaled back. Wall Street rewards companies when their workers get hurt.

Of course, we expect companies to always try to maximize profits, but we weren't elected in this body to serve corporations. We were elected to stand up for the Americans we serve and to stand up for the small business owners. This broken business model is exactly why we need a trade and tax policy that actually invests in American workers. Instead, this crowd in Washington is only making it worse.

Earlier this summer, on the very same day that GM Lordstown laid off the second shift in Mahoning Valley, we got word that GM plans to build its new Chevy Blazer in Mexico, bypassing American workers and sending more jobs to Mexico. There are 1,500 workers who lost their jobs on the same day General Motors announced they were building a plant in Mexico. How stupid do we have to be to think there is not a connection there? That decision was no coincidence.

The tax bill this Congress passed and this President signed, which almost every single Republican voted for and every single Democrat voted against, provides a 50-percent-off coupon off of the taxes for every company that moves overseas.

For instance, the Chevy Cruze is made in Youngstown, OH. General Motors pays a 21-percent corporate tax rate. Another kind of Chevy Cruze made by General Motors in Mexico pays a 10.5-percent tax rate. So if you work in the United States, you pay 21 percent in taxes. If you go overseas, you get a 50-percent coupon off on your taxes. Do you know why? Because this Congress and President Trump signed a bill that will do nothing but outsource jobs. It didn't have to be that way.

The Patriot Corporation Act, which I handed to the President in the President's Cabinet Room a year and a half ago, would have simply said this: If you pay your workers well, if you provide healthcare and retirement for your workers, and if you make your product in the United States of America, you get a lower tax rate. I handed a copy of that bill to the President. He said he liked it. Do you know what happened then? Instead, that bill—which could have been the Patriot Corporation Act, which could have been the taxpayers' bill of rights, which could have been the corporate freeloader fee, where, when companies abuse their workers, they pay a fee—made its way down to the majority leader's office. And do you know what happened? The special interests went to work.

Do you know what happened then, when the special interests went to work? They created this 50-percent-off coupon for their taxes so those companies that moved to Mexico or moved to France or moved to Bangladesh or anywhere else get a 50-percent tax cut. Who suffers the consequences? It is the American workers.

We need to stand up for the people whom we serve, and we need to fix this.

After GM ended the second shift at Lordstown, I met with GM's CEO, Mary Barra, and demanded answers. She said that retooling the plant to go from the Cruze to the SUV Chevy Blazer would simply cost too much. It was too expensive. So we came up with a plan. First of all, they had just taken their huge tax cut, which they could have invested in workers, but instead they invested in corporate buybacks, executive buybacks, so that executives make 300 times what the average well-paid worker at GM makes.

I came up with a plan to fix this. If they are not going to reinvest that money, we could level the playing field. We call it the American Cars, American Jobs Act.

There are two simple parts. First, customers who buy cars that are made in the United States get \$3,500 off at the dealership—real dollars, real money at the dealership. Under our definition of "Made in America," the discount would apply to nearly 100 cars, trucks, and SUVs, including all passenger vehicles, including the Jeep Cherokee, which is made in Toledo, and all passenger vehicles assembled in Ohio.

Second, the companies that cut the number of American jobs they had on the day the GOP tax bill passed and added those jobs overseas lose their tax break. We take away that 50 percent off coupon on their taxes. If you choose to send jobs overseas, you lose that coupon. If you keep jobs in the United States, you keep your discounted rate.

Remember back in July, I believe, of 2017? Donald Trump, the President of the United States, was in Youngstown. He said to the people of Youngstown: "We never again will sacrifice Ohio jobs and those in other states to enrich other countries." He then said: Don't sell your homes. We are going to bring all of these jobs back into these old plants, or we are going to knock down these old plants and build new plants. We are going to bring back all of these jobs.

But when he said that we will never again sacrifice all of these jobs—that is what his tax bill did. His tax bill provided that 50-percent-off coupon.

People trusted him in Mahoning Valley. He won areas that Democrats used to win. They put their faith in him. What did Trump do? He gave these corporations a huge tax break that will cause more jobs to go overseas.

It is all part of this President's phony populism. He pits one group against another to distract from the fact that this White House looks like a retreat for Wall Street executives, except for the days it looks like a retreat for pharmaceutical executives, except for the days it looks like a retreat for gun lobby executives. He campaigns across States like Ohio, saying he is for working people, and then he passes tax cuts for companies that are sending their jobs overseas.

While campaigning in Ohio in 2016, he said:

If I am elected, you won't lose one plant, you'll have plants coming into this country. . . . I promise you that.

If the President of the United States meant what he said—if he said you are not going to lose plants, if he said the companies that have moved overseas are going to come back to Lordstown, come back to Mansfield, come back to Toledo, and come back to Dayton, then, Mr. President, what you need to do is support the American Cars, American Jobs Act. Let's end this tax break, this incentive for companies to shut down production in Xenia, OH, and move overseas. Let's end this tax cut for corporations that shut down these American plants and move American jobs overseas. If you love this country, you fight for the people to make it work. Mr. President, let's do that and pass the American Cars, American Jobs Act.

The PRESIDING OFFICER. The Senator from Connecticut.

YEMEN

Mr. BLUMENTHAL. Mr. President, I want to express my strong support for the bipartisan resolution—54—that is before us today. The strong, bipartisan support we are seeing on the floor—most recently from my colleague Senator LEE of Utah—shows how necessary and important this resolution is to end the complicity of the United States in the murderous war waged by Saudi Arabia in Yemen.

The United States is complicit because we are providing fuel, intelligence, and other support that is only increasing the barbaric power of the Saudis in that civil war—murderous activities that are taking a toll on civilians. The blood will be on our hands if we continue to support the Saudis in this brutal effort.

The resolution before us is carefully crafted to preserve our national security and our national interests while at the same time removing our involvement from the Saudi war crimes. There seems to be no other word for what we are seeing the Saudis do. The arguments made by the administration for our support and participation carry no weight. We should never compromise our national value for the sake of arms sales. In fact, the arms contracts are a pittance or a fraction of what the administration claims. So I am proud to support this measure. It will do too little and too late what should have been done long ago: Renounce our moral and legal responsibility, as well as our practical involvement for the murderous and brutal Saudi attacks on civilians and others in Yemen.

NOMINATION OF THOMAS FARR

Mr. President, I rise today to speak out on a less bipartisan issue against the concerted campaign by the administration and its allies to dramatically reshape our judiciary—to fill the courts with partisans and ideologues.

President Trump has made no secret of his frustration at judges nominated by both Republicans and Democrats who choose to uphold the rule of law

and, as Chief Justice Roberts has said, “do equal right to those appearing before them.” He is wrong to talk about Obama judges or Bush judges. In fact, the Chief Justice is absolutely right that when a person puts on the robe, they are no longer a judge nominated by any President; they are a judge doing the right thing, hopefully, from the bench in a completely bipartisan, nonpartisan way.

Yet this administration has repeatedly put forward extreme nominees who will seek to undo decades of critically important progress in recognizing and protecting reproductive rights, LGBTQ rights, voting rights, workers' rights, environmental protections, and more.

In fact, we are scheduled to vote on a nominee for the Eastern District of North Carolina, Thomas Farr, who exemplifies this administration's efforts to remake the judiciary. He has been nominated for a judgeship that has been open for years. In fact, it is the longest open judicial vacancy in the country.

In 2013, President Obama nominated Assistant U.S. Attorney Jennifer May-Parker to fill the seat. Senator Hagan returned a blue slip, but Senator BURR—despite formally recommending May-Parker to the White House for the position—declined to return his blue slip. At that time, the Senate still adhered to its longstanding practice of respecting blue slips and referring to home State Senators, so the nomination was never considered. To accommodate Senator BURR's obstruction, Senator Obama nominated North Carolina Supreme Court Justice Patricia Timmons-Goodson to fill the vacancy on the district court in 2016. Neither Senators Burr nor Tillis returned blue slips on her nomination.

Senator BURR had the right—and I may have misspoken when I referred to obstruction—when he declined to return that blue slip. Would that that right were still observed in this body. He had that right. He exercised it. But now President Trump has nominated Thomas Farr, an attorney whose career is defined by efforts to dilute African-American votes and suppress them through redistricting and to make it more difficult for African Americans to vote in the first place.

Mr. Farr has worked to suppress minority votes since at least the early 1990s. The Department of Justice under George H.W. Bush alleged that Farr engaged in acts of voter intimidation during the 1990 election. In fact, during that election, Farr served as legal counsel to Senator Jesse Helms. The Department of Justice alleged that Senator Helms' campaign sent out to Black communities tens of thousands of postcards that falsely told voters they could be found ineligible to vote based on various conditions. President Bush's Justice Department described this mail campaign as “intended to intimidate thousands of African-American residents and discourage them from voting in a 1990 Senate election.”

Since then, Farr has become an attorney of choice for North Carolina's Republican politicians when they have sought to gerrymander and suppress voter efforts. Notably and most recently, he successfully represented the North Carolina legislature in Cooper v. Harris. That case involved two districts that were redrawn after the 2010 census as majority Black districts by removing African-American voters from other predominantly White districts. The redrawn districts effectively diluted the voting power of African Americans by concentrating the Black population in a smaller number of districts that already elected candidates who received strong support from African-American voters.

The Supreme Court rejected Farr's defense of the redrawn districts and found that the legislature had engaged in unconstitutional racial gerrymandering. That ruling was remarkable—absolutely exceptional—in Supreme Court jurisdiction—indicating the blatant and flagrant disregard for constitutional law in that gerrymandering.

Farr also defended the North Carolina legislature in a challenge to its restrictive voter ID law. The day after the Supreme Court decision in Shelby County v. Holder struck down the preclearance requirements of section 5 in the Voting Rights Act, the Republicans in the North Carolina legislature requested data regarding the racial breakdown of the usage of various voting access tools.

The Fourth Circuit Court of Appeals found that the law discriminated against African-American voters “with almost surgical precision.”

The court said: “This sequence of events—the General Assembly's eagerness to, at the historic moment of Shelby County's issuance, rush through the legislative process the most restrictive voting law North Carolina has seen since the era of Jim Crow—speaks a certain purpose.”

Thomas Farr argued in favor of those legislative districts that restricted representation of African-American voters in their State and Federal Government.

President Trump has chosen this man to serve as a judge. I cannot vote for him. I hope my colleagues will join me in rejecting this nominee. His nomination alone speaks volumes about the intentions and predilections of this administration. This nominee is not suited to the vital task that judges—particularly Federal district court judges—are empowered to carry out.

This nominee is not fit for this job. I will vote no. I urge my colleagues to do the same.

Thank you.

I yield the floor.

The PRESIDING OFFICER (Mr. RUBIO). The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I rise to strongly oppose the nomination of Thomas Farr to the Federal bench, and I urge my colleagues to join me in voting against him.

The right to vote is sacred and a precious human right, but it has been under attack, and that is unconscionable and wrong.

This nominee represents yet another threat to the basic premise of one person, one vote because, throughout his career, he has worked to make it harder for Black Americans to vote. That is not who we are as a country, and this nominee does not deserve the privilege of a lifetime appointment on the Federal bench.

Over and over again, on the most serious and consequential questions related to our sacred right to vote, Mr. Farr has been on the wrong side of the issue.

Listen to his record: Mr. Farr defended in court a gerrymandered congressional map that was so blatantly racist that our Federal Court of Appeals judge ordered it to be redrawn. Mr. Farr defended in court State laws that were so obviously designed to suppress the Black vote that a Federal Court of Appeals ordered them to be struck down. He wasn't just a cheerleader for these discriminatory laws; he was the actual architect. He was their defender in court. He did everything he could to keep them in place.

That is why millions of Americans all over the country, including so many men and women of color, the NAACP, and the Congressional Black Caucus, are so outraged by this nomination. They are right to be so because this nomination is an insult.

This seat is the longest judicial vacancy in the country, but it did not have to be that way. Just a few years ago, a highly qualified nominee was picked to fill the seat, but she didn't even have a hearing, let alone a vote. So then another highly qualified nominee was picked to fill the seat, and she didn't receive a hearing either—or a basic vote. Now we have another nominee for the same exact seat, but this time my colleagues are practically tripping over themselves to rush him through the Senate at full speed, to push him across the finish line before the end of the year, and to hand him a lifetime appointment to the Court.

I urge my colleagues to reject this bad choice. Let's find someone better, who isn't so obviously biased on questions related to race. If his record of discrimination and bias alone isn't enough to convince you, then think about this: We cannot ignore the fact that this nomination is coming at a moment when so many Black Americans are still experiencing blatant and racist disenfranchisement every time they try to exercise their constitutional right to vote. Just look at the voter suppression that happened in Florida and in Georgia this month in their elections for Governor.

We have already seen terrible decisions from the Federal bench that have rolled back voting rights, such as when the Supreme Court gutted the Voting Rights Act. This body has done nothing to address this egregious decision, and

we should not be complicit in further eroding this precious right.

Now we want to confirm another man to the Federal judiciary who has spent his entire legal career fighting to make it harder for Black Americans to vote. What kind of awful message are we sending to our country?

We must reject this nominee. We must stand up to discrimination and racism in all its forms, not reinforce them, not encourage them.

I urge my colleagues to do the right thing and vote no.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

UKRAINE

Mr. MENENDEZ. Mr. President, I rise today, as I have many times before, to stand up for a free and independent Ukraine.

I come to the floor to unambiguously call out and condemn the Russian Government's escalation of aggression and the increasingly dangerous situation in Ukraine.

Over the weekend, Russian forces sharply escalated their campaign in Ukraine by attacking and seizing 3 Ukrainian vessels with 23 crew members and temporarily shutting down commercial shipping through the Kerch Strait. Ukrainian sailors were injured and required medical attention.

This was an outrageous violation of Ukraine's sovereignty, so I want to say this clearly and unequivocally: The Kremlin must immediately return the vessels and sailors to Ukraine. The Kremlin must not obstruct the free passage of shipping through the Kerch Strait moving forward.

We here in the United States must take the Kremlin's actions seriously in word and in deed, for the Russian Government's actions on Sunday marked a sharp escalation in Putin's ongoing assault on the international rules-based order, this time on the freedom of navigation in the high seas. Indeed, this was an act of war, and Sunday's attack comes in the context of ongoing Russian aggression in eastern Ukraine for the past 4 years.

For the past 4 years, Ukrainian forces have endured an unrelenting assault, rendering the Donbas economically shattered and ungovernable.

For the past 4 years, 1.5 million displaced people have lived lives of uncertainty, not sure when and if they will ever be able to return home.

For the past 4 years, Ukraine has struggled to rebuild its economy and reform its institutions while fighting a hot war and suffering regular casualties.

For the past 4 years, Ukraine has been on the frontlines of a struggle against the Kremlin's vision of a world that is not guided by Democratic values, not buttressed by fundamental freedoms, not governed by a rules-based international order but, instead, ruled by Mr. Putin and a corrupt cabal of oligarch insiders.

Despite years of aggression, Putin's latest escalation marks an even more

insidious turn. Apparently, the Kremlin no longer seeks to hide behind lies of little green men or Russian-backed separatists. The Russian Government, with no pretense or obfuscation, fully admitted to directly firing on Ukrainian forces and seizing their ships.

Beyond the military component, this attack tells us that Putin is ramping up an economic war on Ukraine. Since the spring, Russian vessels have blocked Ukrainian commercial ships from sailing through the Kerch Strait, costing Ukraine millions in lost revenue from exports and blocking imports critical to the Ukrainian economy. This weekend, Moscow opened up a new front in the war, one that could ultimately do the most damage to Ukraine's viability as a state.

Russia's actions show that its leaders are emboldened, unchastened, and on the march. Clearly our response to Russian efforts to undermine our security, our fundamental democratic values, our institutions, and the rules-based international order has thus far been inadequate.

Certainly the State and Defense Departments have taken some steps to counter Russian aggression. Ambassador Kurt Volker, who has led efforts to fully implement the Minsk agreements, has shown clear-eyed leadership in calling out the Kremlin and holding Putin to account. Our Assistant Secretary of State for Europe, Wess Mitchell, has done much of the same. Secretary Jim Mattis has consistently supported a strong military presence in Europe to counter Russian aggression. Nikki Haley, our U.S. Ambassador, issued the first statement from the administration following Sunday's attack and was appropriately firm. Come to think of it, I can't think of any player within the Trump administration who is soft on Russia—except one, of course: the President himself.

Just yesterday, when asked by reporters about Russia's escalation in Ukraine, President Trump said: "We don't like what is happening either way." In other words, he once again fell back on the same old both sides excuse he keeps in his back pocket whenever asked about Russia's bad behavior. This is not the kind of clear and unequivocal denouncement the people of Ukraine or the world needs to hear from an American President at a moment in which the international democratic order is under attack, but unfortunately it is what we have come to expect from President Trump, who repeatedly subverts his own administration's positions and efforts on Russia.

The work of Mattis, Volker, Mitchell, Haley, and countless others has been repeatedly undermined by a President who has abandoned America's interests and betrayed our core principles time and time again, from the fiasco in Helsinki to an exchange in Paris just weeks ago where he greeted Putin with a giant smile on his face.

The President has had many opportunities to restore confidence to the

American people and reclaim America's global leadership on Russia policy. While he has repeatedly failed to do so, yet another opportunity lies before him this week at the G20 summit in Buenos Aires, where he is scheduled to meet with Putin. If ever there were a time for this President to defend our country, our principles, and those of our allies, this would be it. If ever there were an opportunity for American leadership, this would be it. If there were ever a time for President Trump to find his spine on Russia, this would be it.

In the meantime, President Trump must use this week's opportunity in Buenos Aires to send a clear message to Putin that we will not tolerate its increasingly aggressive behavior in Ukraine. Here is what I believe the President must do:

First, the United States needs to increase assistance to our friends in Ukraine in the face of continued aggression in Donbass and now in the Kerch Strait. The Trump administration must immediately increase security assistance to Ukraine, including the provision of lethal maritime equipment and weapons. In addition, we must bolster intelligence-sharing with Kiev and assist Ukraine's efforts to improve its maritime domain awareness.

Second, NATO has a critical role and should consider increasing exercises and its presence in the Black Sea. The United States has maintained an active presence in the South China Sea to protect shipping lanes. NATO should move quickly to establish such a presence in the Black Sea.

Third, the United States should increase sanctions pressure on Russia immediately. This is long overdue. The President is required to impose sanctions on Russia under the CAATSA law. Several mandatory provisions of the law remain ignored. I would offer that now would be a good time to follow the law. But imposing sanctions alone does not constitute a real strategy.

Fourth, Sunday's events present an important opportunity for American engagement with like-minded allies across Europe. Now is the time for serious diplomacy and coalition-building in the face of this threat. Our European friends spoke out in full opposition to Russia's attack on Sunday. Now let's see if we can work together to turn words into action and deter such Kremlin attacks in the future.

Finally, as the situation in Ukraine grows more perilous, we in the Senate must also live up to our national security responsibilities. Following the President's failures in Helsinki, Senator GRAHAM and I, along with others, introduced the Defending American Security from Kremlin Aggression Act, known as DASKAA. This legislation is more than another sanctions bill; it charts a comprehensive way forward for how the United States can better defend its interests and those of our close allies against Putin's unrelenting

assault on our values, security, economic interests, and the rules-based international order.

After months of Senate hearings on the legislation, we have nothing to show for it, as both the Senate Foreign Relations and Banking Committees have refused to mark up new legislation to respond to the Kremlin threat. What are we waiting for? What are we waiting for? The alarm bells are ringing. Yet the Senate Republican leadership is sound asleep. They are asleep as Trump concedes more ground to the Kremlin in Ukraine and cyber space; asleep while Russian ships ram Ukrainian vessels in international waters and injure brave Ukrainian sailors; asleep while Vladimir Putin pounds away at our points of vulnerability.

The American people deserve a vote on DASKAA before we leave for the holidays. Anything less would be a mark of shameful abdication of our responsibility to protect and defend our national interests.

I hope this Chamber will wake up to this growing threat. Perhaps Sunday's attack will be a ringing alarm clock that compels this body and the international community to act.

Finally, the American people cannot afford a weak performance by President Trump at the G20 summit, like we saw in Helsinki—cannot afford such a performance.

President Trump, this is your opportunity to finally show American leadership in defense of our principles and our close allies across Europe.

The time is now. It is critical. We are waiting to see that in fact the President can rise to the moment.

RUSSIA INVESTIGATION

Finally, on another matter, I want to address breaking news of the day on a related matter. Yesterday, we learned from an exclusive report in the Guardian that former Trump campaign chairman Paul Manafort repeatedly held secret talks with WikiLeaks founder Julian Assange within the Ecuadorian Embassy in London. These revelations reported publicly in the Guardian, if true, raise serious, new questions about the Trump campaign's possible relationship with WikiLeaks, including the timed release of hacked emails orchestrated to inflict maximum damage on Hillary Clinton's 2016 Presidential campaign.

According to the published report, Manafort visited in 2015 and then again in the spring of 2016—just in time for Trump to name him the RNC convention manager. Sources in Ecuador say Manafort's meetings with Assange may have been purposefully kept off the Embassy's official visitor log. It is essential that Ecuador's current government publicly and swiftly confirm whether former Ecuadorian President Rafael Correa and his administration allowed these meetings to take place.

Given that Secretary Pompeo met with Ecuadorian Foreign Minister Valencia yesterday morning—the day before this report came out—the State

Department and the intelligence community must immediately brief the Senate Foreign Relations Committee on Mr. Manafort's interaction with Mr. Assange, as well as the Ecuadorian Government's role in any meetings. This is critical for us to know, and I hope it won't take other actions to get clarity.

I am already concerned that tomorrow we are having an all-Members briefing on what happened with Saudi Arabia and the murder of Mr. Khashoggi, and there won't be anybody from the intelligence community there. Where is Gina Haspel, the head of the CIA? She went and listened to the tapes. Her Agency is reported to have come up with conclusions that said, yes, the Crown Prince knew and was involved, yet we are going to have a briefing without anybody from the intelligence community. It is an affront to the Senate, which has responsibilities—oversight and otherwise—to understand what is the appropriate action of this body as it relates to U.S. foreign policy and this particular ally. But we are not going to have anybody from the intelligence community. To me, that is the ultimate coverup.

So I want to know what happened and whether this Guardian report is true. I want to know from the intelligence community what their determination is. I don't want to hear it characterized by someone else; I want to hear it directly from them. Only then can we actually act in a way that is both concerted and with the knowledge necessary to make informed decisions on critical U.S. foreign policy.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

WITHDRAWAL OF NOMINATION HOLDS

Mr. HATCH. Mr. President, the Finance Committee has worked with the Treasury Department to ensure proper responsiveness to committee inquiries. We are continuing to review these matters to determine what further oversight is required.

Mr. WYDEN. I thank the chairman for his willingness to work with me on this important matter. I know we believe that further oversight needs to be done; however, at this point, the Treasury Department has been sufficiently cooperative. Accordingly, I am lifting my hold on Treasury Department nominees.

CONFIRMATION OF STEPHEN
ALEXANDER VADEN

Mr. VAN HOLLEN. Mr. President, President Trump nominated Stephen Vaden to be General Counsel for the Department of Agriculture. In that role, Mr. Vaden will oversee all of the legal services for all operations and programs of the Department and 250 attorneys nationwide.

Most of Mr. Vaden's experience is not in agriculture or natural resources issues. Much of his work at the law firm Jones Day focused on election law, and during the 2016 election cycle, he coauthored amicus briefs in States where State legislatures had enacted discriminatory voting laws designed to suppress minority votes following the Supreme Court ruling in *Shelby County v. Holder* which gutted the Voting Rights Act of 1965. State legislatures in North Carolina, Ohio, and Virginia took full advantage of the *Shelby County* ruling that removed previous preclearance requirements.

In North Carolina, the legislature passed a law changing various State voting procedures. The legislature utilized racial data on voting practices in drafting the law, and where they saw voting practices that were predominately utilized by African American voters, they changed those voting practices.

Mr. Vaden was one of three attorneys who submitted an amicus brief in support of the State of North Carolina, for Senators Tillis, Graham, Cruz, Lee, and the Judicial Education Project. The *Jones Day* amicus brief argued that "North Carolina's race-neutral regulations of the time, place, and manner of its elections do not violate Section 2 [Of the Voting Rights Act]." They further wrote, "Quite to the contrary, North Carolina allows all citizens to vote. Although members of minority races may disproportionately choose, for socio-economic or other reasons, not to take advantage of this equal opportunity, North Carolina's practices are not the proximate cause of this phenomenon."

In its published opinion, the U.S. Court of Appeals strongly disagreed with that argument and found that the North Carolina State election law "targeted African Americans with almost surgical precision." The court further stated, "We cannot ignore the evidence that, because of race, the legislature enacted one of the largest restrictions of the franchise in modern North Carolina history," and "Faced with this record, we can only conclude that the North Carolina General Assembly en-

acted the challenged provisions with discriminatory intent."

At the November 9, 2017, Committee on Agriculture, Nutrition, and Forestry hearing to consider Mr. Vaden's nomination, I questioned him about his role in the amicus brief in the North Carolina voting rights case. I am a firm believer in the right to vote and deeply troubled by the U.S. Circuit Court of Appeals findings that the North Carolina case involved voter discrimination.

I did not find Mr. Vaden's answers to my questions to be sufficient. When I asked him if the Judicial Education Project paid Jones Day in full for their work on the North Carolina case, he simply said, "As an associate I did not have access, nor did I participate in the billing function of the firm." I find this answer insufficient.

Also, I noted in my questions to Mr. Vaden that, in my experience as having been an associate at a law firm, if an associate indicated to a partner that they did not want to participate in a case, the firm would certainly defer to their wishes. When I asked Mr. Vaden if he expressed any concern with participating in the voting rights cases to his partners at Jones Day, he replied that he did not.

I also note Mr. Vaden's lack of experience in the area of agriculture. Prior to joining USDA last January, Mr. Vaden had no particular involvement in any agriculture-specific issues or any agriculture-specific clients during his tenure at Jones Day. His nomination is a significant departure by the Trump administration from the background and experience of previous USDA General Counsel nominees, Republican or Democrat. For example, during the Obama administration, Jeff Prieto was a longtime attorney at the Justice Department's Environment and Natural Resources Division before becoming USDA General Counsel. His predecessor, Ramona Romero, was an attorney with a major U.S. agribusiness company involved in a wide range of agricultural policy and legal issues. Going back to the administration of George W. Bush, Nancy Bryson was a long-time environment and natural resources attorney both at the Justice Department and in private practice.

I am also troubled to learn that the American Federation of Government Employees, AFGE, came out in opposition to Mr. Vaden's nomination, citing that one of Mr. Vaden's first official acts at USDA was to terminate the labor contract between the office and its staff of 250 lawyers and legal professionals nationwide. In their statement, the AFGE stated that, due to his lack of collaboration and partnership with Office of General Counsel workers, they believe he will "continue creating an agency culture that results in even more unprecedented levels of poor worker morale, with the potential to negatively impact the quality of services provided to virtually all Americans."

For these reasons, I opposed Stephen Vaden's nomination for General Counsel of the Department of Agriculture.

NOMINATION OF JUSTIN MUZINICH
AND NOMINATION OF MICHAEL
FAULKENDER

Mr. WYDEN. Mr. President, today I am lifting my holds on the nominations of Justin Muzinich, to be Deputy Secretary of the Treasury and Michael Faulkender to be Assistant Secretary of the Treasury for Economic Policy, both of which were reported favorably from the Finance Committee. I had placed holds on these nominations until the Treasury Department agreed to provide the Senate Finance Committee with certain information I had requested in connection with the committee's oversight of the Treasury Department.

Working with Chairman HATCH, I reached an agreement under which the Treasury Department has cooperated with the Finance Committee on a number of my requests.

For these reasons, I will no longer object to any unanimous consent request concerning the nominations of Mr. Muzinich and Mr. Faulkender.

COAST GUARD REAUTHORIZATION
BILL

Mr. THUNE. Mr. President, this evening the House of Representatives concurred in the Senate amendment to the House amendment to S. 140, legislation known as the Frank LoBiondo Coast Guard Authorization Act of 2018. The House's action clears the way for this measure to reach the President's desk. As the Coast Guard works through hurricane season and continues drug interdiction and other critical efforts, House passage of this legislation is a critical step toward supporting the men and women in uniform who guard our Nation. Among this bill's provisions is a title that addresses the need for clear and enforceable standards of incidental water discharges from vessels. Senator CARPER and I reached a bipartisan agreement, included in this legislation, which places the Environmental Protection Agency in the lead role of establishing standards, which the Coast Guard will monitor and enforce. Clear, achievable rules will be the most effective way to address environmental concerns about the spread of invasive species through ballast water discharges. I am pleased to have reached this agreement, and I want to inform my colleagues that we will be submitting errata to the Committee Report on the Coast Guard Authorization Act of 2018 Senate Report 115-89, that reflects the agreement we reached. I ask the Senator from Delaware if the Senator agrees that the modifications we negotiated over the last few months have made a significant improvement to the legislation?

Mr. CARPER. I thank the Senator from South Dakota. I do agree. Today, we are one step closer to getting this

strong bipartisan compromise on vessel discharge legislation signed into law. This bill protects waters across our country from the environmental and economic risk of the spread of invasive species contained in ballast water, while also providing regulatory certainty for vessel owners and mariners. To reach this agreement, my colleagues and I did not settle for what was easy or what was expedient. These improvements in the VIDA title have taken a great deal of time and energy, and they were the right thing to do. Specifically, they will reduce the risks posed by ballast water discharges that enter our waterways, minimize the likelihood of introducing invasive species along our coasts and in the Great Lakes, while still ensuring these discharges are regulated under the Clean Water Act. I know the Senator from South Dakota shares my hope that the President signs this legislation expeditiously. He and I will make sure that the legislative history regarding this provision is clear.

TRIBUTE TO SHEL GROSS

Ms. BALDWIN. Mr. President, today I wish to honor Shel Gross, director of Public Policy for Mental Health America of Wisconsin, MHA, on his retirement. Throughout his career, Shel has helped everyday Wisconsinites in their battle with mental health issues and has been a powerful advocate, peer, mentor, and leader in elevating the voices of those struggling with mental illness.

Shel has been the director of Public for MHA of Wisconsin since April 2000. During his tenure, he has significantly expanded the array of community-based mental health services that support recovery and independence. Wisconsin owes Shel a debt of gratitude for raising awareness of both the tragedy and treatability of many serious mental health afflictions.

Shel's greatest accomplishment is his tremendous work in reducing the prevalence of suicide in Wisconsin. As project manager for MHA's statewide prevention/early intervention initiative in mental health, he focused on improving the quality of behavioral healthcare to help lower Wisconsin's suicide rate. According to the Wisconsin Department of Health Services, over 700 Wisconsin residents die each year by suicide. Another 5,500 Wisconsin residents are hospitalized due to intentional, self-inflicted injury. As project manager of a suicide prevention grant, Shel made it his life's work to reduce the number of people affected by suicide or suicide attempts, work that deserves the utmost praise and appreciation.

The Milwaukee Mental Health Task Force, MHTF, awarded Shel the Karen Avery Award in 2017, which honors those who have shown tremendous advocacy and leadership in advancing the rights of people with disabilities. Working hand-in-hand with the award's

namesake, Shel helped establish the Grassroots Empowerment Project, GEP, to create opportunities for people seeking mental health recovery and wellness to exercise power in their lives. Shel has been a prominent voice for recognizing and tapping the power of community to help heal the isolation of depression.

Shel will be deeply missed by his colleagues and all those who consider him a loyal friend and passionate advocate. I know Shel will continue to be a valuable voice on these important issues after retirement, but I congratulate him on this milestone and wish him the very best in this new chapter.

ADDITIONAL STATEMENTS

150TH ANNIVERSARY OF WAYNE STATE UNIVERSITY

• Mr. PETERS. Mr. President, today I wish to recognize the 150th anniversary of Wayne State University. Located in the heart of Detroit, MI, Wayne State University provides world-class education and has made a tremendous impact on the community that surrounds it.

In 1868, just over 30 years after the State of Michigan joined the Union, the development of what would become Wayne State University began with the establishment of the Detroit Medical College by five physicians who were inspired to improve medical education after their service in the Civil War. Following shortly thereafter, the Detroit Normal Training School—the predecessor of the college of education—was founded.

At the turn of the 20th century, the school saw rapid transformation and development. A change in attitudes brought on by the progressive movement between 1890 and 1920 impacted institutions across America. In 1917, the Detroit College of Medicine and Surgery admitted its first female students, as the Detroit Normal Training School began admitting married women. These milestones in the school's history coincided with the culmination of women's suffrage in the United States. In 1934, the Wayne University name was adopted, eventually becoming Wayne State University in 1956, after the Michigan State Legislature approved public act 183.

Year after year, Wayne's footprint would grow to include more programs and opportunities for students to excel. Growth of that footprint included Detroit City Law School, which was founded in 1927 and later became part of Wayne University in 1933. Moreover, as veterans from World War II came home and acclimated into civilian life, Wayne University established the office of veteran affairs to help veterans continue their education, enter vocational training programs, and transition into the workforce. With the introduction of the GI bill, Wayne University's programs saw it well posi-

tioned to increase its veteran enrollment.

In 1950, the former central high school and main building of the College of the City of Detroit was renamed Old Main, becoming one of the City of Detroit's and Wayne University's most notable landmarks.

The 1960s proved to be a pivotal time in American history, with the civil rights movement and the Vietnam war serving as the backdrop of the public's conscience, ushering in a new era of barrier breaking civic engagement. Throughout the 1960s, Wayne State University continued to build on its rich tradition of progressivism by establishing the office of counseling for the handicapped, the center for urban studies, and covering pertinent social issues in the school newspaper.

Continuing to build on its record of success, Wayne State launched doctoral programs in the college of pharmacy and college of nursing, and established the college of urban, labor, and metropolitan affairs, and college of fine and performing arts. In 1994, Wayne State was recognized for its research and was classified as a Research I university by the Carnegie Foundation for the Advancement of Teaching.

Ever mindful of its position within the community as a bridge for stakeholders across all fields of endeavor, Wayne State has forged numerous partnerships to empower the community and its students to succeed in a rapidly changing world. In 2004, the first phase of TechTown was completed, which brought Wayne State together with the Henry Ford Health System and General Motors to support entrepreneurship and technological advancement. In 2013, Wayne State named M. Roy Wilson as president of the university, and he has continued this rich legacy of community partnerships.

Throughout its 150-year history, Wayne State University has fostered an environment of innovation, inclusion, and community. The university is deeply rooted in the city of Detroit and has been an indispensable partner in the city's development and renewal. I am proud to be a law school alumnus and am certain that Wayne State will continue to succeed in its mission to cultivate the Warrior Strong leaders of tomorrow. I ask my colleagues to join me in recognizing this important milestone in the history of Wayne State University as it celebrates its sesquicentennial.●

50TH ANNIVERSARY OF PELHAM BATESVILLE FIRE DEPARTMENT—FIRE DISTRICT

• Mr. SCOTT. Mr. President, today it is my pleasure to honor the Pelham Batesville Fire Department, as the fire district celebrates its 50th anniversary. Since 1968, the district and fire department have dutifully provided fire and rescue services to a large area of upstate South Carolina, including parts of Greenville County, Spartanburg County, and Greer.

Time and again, the PBFD has remained vigilant and steadfast in their commitment to providing the best emergency services to the community. True dedication and generosity are characteristics frequently used to describe this department; once, PBFD firefighters pitched in to just to pay for gas to drive the trucks to the next emergency. Today, the future of the department looks bright, as it grows at an unprecedented rate and now includes four stations. I look forward to hearing of their continued success.

Congratulations on 50 years, Pelham Batesville Fire Department and district, and thank you for your continued services to the upstate.●

TRIBUTE TO LARRY COTTER

● Mr. SULLIVAN. Mr. President, today, on the occasion of his retirement, I would like to honor Lawrence P. "Larry" Cotter, a very special Alaskan who, for years, has given his heart and soul to our fishing industry, one of Alaska's most vital cultural and economic industries.

Larry began working in Alaska's commercial fishing industry in 1974, when he was a seafood processing worker in Juneau. He then spent 8 years as a labor organizer and representative for seafood processing workers and longshoremen. Additionally, Larry served on the advisory panel to the North Pacific Fishery Management Council for 6 years and then as a voting member of the council for an additional 6 years. The time of Larry's service on the council was during the transition years when foreign fishing was being phased out, our U.S. domestic fishing and processing capabilities were stepping up to replace the foreign fleets, and allocation issues among U.S. fisheries interests were first coming to the forefront.

These were difficult, challenging, and exciting times in Alaska's fishing industry, and Larry was on the frontlines for all of it, helping to shape the most sustainable, best managed fisheries in the world.

Until recently, Larry has served as founding CEO of the Community Development Quota—CDQ—Group, known as the Aleutian Pribilof Island Community Development Association, or APICDA, which has provided jobs and scholarships for thousands of Aleutian and Pribilof Island residents, and has helped develop the workforce and build infrastructure throughout the region.

Larry is my friend and a great Alaskan. His leadership in the seafood industry has helped make Alaska the "superpower of seafood."

Thank you, Larry, for your tremendous contributions to our sustainable fisheries. Enjoy your retirement, and best of luck in your continuing endeavors.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to

the Senate by Ms. Ridgway, one of his secretaries.

PRESIDENTIAL MESSAGE

REPORT RELATIVE TO THE ISSUANCE OF AN EXECUTIVE ORDER DECLARING A NATIONAL EMERGENCY RELATED TO THE SITUATION IN NICARAGUA—PM 48

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 212(f) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f)), and section 301 of title 3, United States Code, I hereby report that I have issued an Executive Order declaring a national emergency to deal with the threat posed by the situation in Nicaragua, including the violent response by the Government of Nicaragua to the protests that began on April 18, 2018, and the Ortega regime's systematic dismantling and undermining of democratic institutions and the rule of law, its use of indiscriminate violence and repressive tactics against civilians, as well as its corruption leading to the destabilization of Nicaragua's economy.

The Executive Order blocks all property and interests in property within United States jurisdiction of any person determined by the Secretary of the Treasury, in consultation with the Secretary of State:

(i) to be responsible for or complicit in, or to have directly or indirectly engaged or attempted to engage in, any of the following:

(A) serious human rights abuse in Nicaragua;

(B) actions or policies that undermine democratic processes or institutions in Nicaragua;

(C) actions or policies that threaten the peace, security, or stability of Nicaragua;

(D) any transaction or series of transactions involving deceptive practices or corruption by, on behalf of, or otherwise related to the Government of Nicaragua or a current or former official of the Government of Nicaragua, such as the misappropriation of public assets or expropriation of private assets for personal gain or political purposes, corruption related to government contracts, or bribery;

(ii) to be a leader or official of an entity that has, or whose members have, engaged in any activity described in section (i) or of an entity whose property and interests in property are

blocked pursuant to the Executive Order;

(iii) to be an official of the Government of Nicaragua or to have served as an official of the Government of Nicaragua at any time on or after January 10, 2007;

(iv) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of:

(A) any activities described in section (i); or

(B) any person whose property and interests in property are blocked pursuant to the Executive Order; or

(v) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the Executive Order.

I have delegated to the Secretary of the Treasury, in consultation with the Secretary of State, the authority to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of the Executive Order. All agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the Executive Order.

I am enclosing a copy of the Executive Order I have issued.

DONALD J. TRUMP.
THE WHITE HOUSE, November 27, 2018.

MESSAGE FROM THE HOUSE

ENROLLED BILLS SIGNED

At 2:15 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. 3554. An act to extend the effective date for the sunset for collateral requirements for Small Business Administration disaster loans.

H.R. 5784. An act 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".

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH).

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, November 27, 2018, she had presented to the President of the United States the following enrolled bill:

S. 3554. An act to extend the effective date for the sunset for collateral requirements for Small Business Administration disaster loans.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. 793. A bill to prohibit sale of shark fins, and for other purposes (Rept. No. 115-388).

S. 3143. A bill to provide for a coordinated Federal program to accelerate quantum research and development for the economic and national security of the United States (Rept. No. 115-389).

S. 3367. A bill to amend certain transportation-related reporting requirements to improve congressional oversight, reduce reporting burdens, and promote transparency, and for other purposes (Rept. No. 115-390).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

H.R. 3279. A bill 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 (Rept. No. 115-391).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. INHOFE for the Committee on Armed Services.

Air Force nomination of Lt. Gen. John N. T. Shanahan, to be Lieutenant General.

Air Force nomination of Maj. Gen. Kevin B. Schneider, to be Lieutenant General.

Army nominations beginning with Brig. Gen. Stephen J. Hager and ending with Col. Nelson G. Rosen, which nominations were received by the Senate and appeared in the Congressional Record on October 5, 2018.

Army nomination of Brig. Gen. Laura L. Yeager, to be Major General.

Navy nomination of Vice Adm. Michael M. Gilday, to be Vice Admiral.

Air Force nominations beginning with Brigadier General Jeffrey W. Burkett and ending with Brigadier General Russ A. Walz, which nominations were received by the Senate and appeared in the Congressional Record on November 13, 2018.

Air Force nominations beginning with Colonel James R. Camp and ending with Colonel James G. Silvasy, which nominations were received by the Senate and appeared in the Congressional Record on November 13, 2018.

Air Force nominations beginning with Colonel Darrin K. Anderson and ending with Colonel John W. Pogorek, which nominations were received by the Senate and appeared in the Congressional Record on November 13, 2018.

Air Force nomination of Col. Thomas A. Dukes, Jr., to be Brigadier General.

Air Force nomination of Col. Christopher L. Montanaro, to be Brigadier General.

Air Force nominations beginning with Brigadier General Vito E. Addabbo and ending with Brigadier General Boyd C. L. Parker IV, which nominations were received by the Senate and appeared in the Congressional Record on November 13, 2018.

Air Force nominations beginning with Colonel Elizabeth E. Arledge and ending with Colonel Roger P. Suro, which nominations were received by the Senate and appeared in the Congressional Record on November 13, 2018.

Air Force nomination of Maj. Gen. Sami D. Said, to be Lieutenant General.

Air Force nomination of Maj. Gen. David W. Allvin, to be Lieutenant General.

Navy nomination of Rear Adm. (lh) Brent W. Scott, to be Rear Admiral.

Air Force nominations beginning with Col. John J. Bartrum and ending with Col. Anita

L. Fligge, which nominations were received by the Senate and appeared in the Congressional Record on November 13, 2018.

Mr. INHOFE. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORD on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nominations beginning with Lisa M. Bader and ending with Ilaina M. Wingler, which nominations were received by the Senate and appeared in the Congressional Record on June 18, 2018.

Air Force nomination of Sung-Yul Lee, to be Major.

Air Force nominations beginning with Francisca A. Alaka Lampton and ending with Michael D. Zimmer, which nominations were received by the Senate and appeared in the Congressional Record on November 13, 2018.

Air Force nominations beginning with Christopher Gene Adams and ending with Benjamin Paul Zuniga, which nominations were received by the Senate and appeared in the Congressional Record on November 13, 2018.

Air Force nominations beginning with Steven D. Sikora and ending with Anita Sargent, which nominations were received by the Senate and appeared in the Congressional Record on November 14, 2018.

Army nomination of Harold E. Turks, to be Colonel.

Army nominations beginning with Benjamin M. Lipari and ending with Gregory S. Soule, which nominations were received by the Senate and appeared in the Congressional Record on October 5, 2018.

Army nomination of Jennifer L. Wright, to be Major.

Army nomination of Christiaan D. Taylor, to be Major.

Army nomination of Shayne R. Estes, to be Major.

Army nomination of Michael W. Keebaugh, to be Major.

Army nomination of Heins V. Recheungel, to be Lieutenant Colonel.

Army nomination of John R. Schwab, to be Colonel.

Army nomination of Amanda L. Silvers, to be Major.

Army nomination of Ricky L. Warren, Jr., to be Major.

Army nomination of Eric R. Swenson, to be Colonel.

Army nominations beginning with Anthony C. Adolph and ending with Kay K. Wakataka, which nominations were received by the Senate and appeared in the Congressional Record on November 13, 2018.

Army nominations beginning with Scott S. Brenneman and ending with Kevin V. Thompson, which nominations were received by the Senate and appeared in the Congressional Record on November 14, 2018.

Army nomination of Richard S. Taylor, to be Colonel.

Army nomination of Daniel S. Marshall, to be Major.

Army nomination of Kindra C. New, to be Major.

Army nominations beginning with Sandra L. Ahinga and ending with D014887, which nominations were received by the Senate and appeared in the Congressional Record on November 14, 2018.

Army nomination of Rhonda C. Pugh, to be Colonel.

Marine Corps nomination of James D. Foley, to be Major.

Navy nominations beginning with Joshua C. Andres and ending with Travis R. Vosler, which nominations were received by the Senate and appeared in the Congressional Record on November 13, 2018.

By Ms. MURKOWSKI for the Committee on Energy and Natural Resources.

*Raymond David Vela, of Texas, to be Director of the National Park Service.

*Rita Baranwal, of Pennsylvania, to be an Assistant Secretary of Energy (Nuclear Energy).

*Bernard L. McNamee, of Virginia, to be a Member of the Federal Energy Regulatory Commission for the remainder of the term expiring June 30, 2020.

By Mr. JOHNSON for the Committee on Homeland Security and Governmental Affairs.

*Gail S. Ennis, of Maryland, to be Inspector General, Social Security Administration.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. WICKER:

S. 7. A bill to amend title 51, United States Code, to extend the authority of the National Aeronautics and Space Administration to enter into leases of non-excess property of the Administration; to the Committee on Commerce, Science, and Transportation.

By Mr. CASSIDY (for himself and Ms. MURKOWSKI):

S. 8. A bill to amend the Department of Energy Organization Act to address insufficient compensation of employees and other personnel of the Federal Energy Regulatory Commission, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. COONS (for himself and Mr. YOUNG):

S. 9. A bill to require the Director of the National Science Foundation to develop an I-Corps course to support commercialization-ready innovation companies, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARDIN (for himself and Mr. WICKER):

S. 10. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain Federally-subsidized loan repayments for dental school faculty; to the Committee on Finance.

By Mr. WYDEN (for himself, Mr. HEINRICH, Mr. REED, and Ms. HARRIS):

S. 3658. A bill to require the Director of National Intelligence to submit to Congress a report on the death of Jamal Khashoggi, and for other purposes; to the Select Committee on Intelligence.

By Mr. TILLIS:

S. 3659. A bill to authorize the Secretary of the Interior to annually designate at least one city in the United States as an "American World War II Heritage City", and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. HIRONO (for herself, Ms. DUCKWORTH, Mr. CARDIN, Ms. HARRIS, Mr. BOOKER, Mr. MERKLEY, Mr. KAINE, Mr. BLUMENTHAL, Mrs. GILLIBRAND, and Mr. BROWN):

S. 3660. A bill to improve the health of minority individuals, and for other purposes; to the Committee on Finance.

By Mr. INHOFE (for himself, Mr. REED, Mr. ROUNDS, Ms. DUCKWORTH, Mr. HELLER, and Mr. PETERS):

S. 3661. A bill to provide for a program of the Department of Defense to commemorate the 75th anniversary of World War II; considered and passed.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. UDALL (for himself, Mr. HOEVEN, Ms. MURKOWSKI, Mr. BLUMENTHAL, Mr. BOOKER, Ms. CANTWELL, Ms. CORTEZ MASTO, Ms. HARRIS, Mr. HEINRICH, Ms. HEITKAMP, Ms. HIRONO, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Mr. MERKLEY, Mrs. MURRAY, Mr. SCHUMER, Ms. SMITH, Mr. TESTER, Ms. WARREN, Mr. WYDEN, and Mr. SANDERS):

S. Res. 707. A resolution commemorating the 40th Anniversary of the Indian Child Welfare Act of 1978; to the Committee on Indian Affairs.

By Mr. MERKLEY (for himself, Mr. MARKEY, Mr. WHITEHOUSE, Mr. VAN HOLLEN, Mr. UDALL, Mr. BLUMENTHAL, Mrs. MURRAY, Mr. BOOKER, Ms. HIRONO, Ms. SMITH, Ms. KLOBUCHAR, Mr. WYDEN, Ms. BALDWIN, Mr. SCHATZ, Mrs. FEINSTEIN, Mr. CARDIN, Mr. DURBIN, Mrs. SHAHEEN, Mr. REED, Mrs. GILLIBRAND, Ms. CANTWELL, Ms. HARRIS, Ms. DUCKWORTH, Ms. HASSAN, and Mr. BENNET):

S. Res. 708. A resolution expressing the need for bold climate action in response to the release of the United Nations report entitled "Global Warming of 1.5 C, an IPCC special report on the impacts of global warming of 1.5 C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty" and the Fourth National Climate Assessment report entitled "Volume II: Impacts, Risks, and Adaptation in the United States" by the United States Global Change Research Program; to the Committee on Environment and Public Works.

By Mr. JOHNSON (for himself, Mr. MURPHY, Mr. BARRASSO, Mrs. SHAHEEN, Mr. PORTMAN, Mr. RUBIO, Mr. MARKEY, Mr. COTTON, and Mr. MORAN):

S. Res. 709. A resolution condemning Russia's provocative actions in the Kerch Strait against the Ukrainian navy; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 281

At the request of Mr. LEE, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Illinois (Ms. DUCKWORTH) were added as cosponsors of S. 281, a bill to amend the Immigration and Nationality Act to eliminate the per-country numerical

limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes.

S. 352

At the request of Mr. CORKER, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 352, a bill to award a Congressional Gold Medal to Master Sergeant Rodrick "Roddie" Edmonds in recognition of his heroic actions during World War II.

S. 379

At the request of Mr. WHITEHOUSE, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 379, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 783

At the request of Ms. BALDWIN, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 783, a bill to amend the Public Health Service Act to distribute maternity care health professionals to health professional shortage areas identified as in need of maternity care health services.

S. 802

At the request of Mr. PORTMAN, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 802, a bill to award a Congressional Gold Medal in honor of Lawrence Eugene "Larry" Doby in recognition of his achievements and contributions to American major league athletics, civil rights, and the Armed Forces during World War II.

S. 1503

At the request of Ms. WARREN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1503, a bill to require the Secretary of the Treasury to mint coins in recognition of the 60th anniversary of the Naismith Memorial Basketball Hall of Fame.

S. 1742

At the request of Ms. STABENOW, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 1742, a bill to amend title XVIII of the Social Security Act to provide for an option for any citizen or permanent resident of the United States age 55 to 64 to buy into Medicare.

S. 1933

At the request of Mr. DURBIN, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 1933, a bill to focus limited Federal resources on the most serious offenders.

S. 2038

At the request of Mr. MORAN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2038, a bill to amend title 38, United States Code, to provide for a presump-

tion of herbicide exposure for certain veterans who served in Korea, and for other purposes.

S. 2227

At the request of Mr. PORTMAN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2227, a bill to reauthorize the Money Follows the Person Demonstration Program.

S. 2358

At the request of Mr. RUBIO, the names of the Senator from West Virginia (Mr. MANCHIN) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 2358, a bill to require a study on women and lung cancer, and for other purposes.

S. 2637

At the request of Ms. STABENOW, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 2637, a bill to amend title XI of the Social Security Act to improve the quality, health outcomes, and value of maternity care under the Medicaid and CHIP programs by developing maternity care quality measures and supporting maternity care quality collaboratives.

S. 3137

At the request of Mr. JOHNSON, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 3137, a bill to provide for reforming agencies of the Federal Government to improve efficiency and effectiveness.

S. 3166

At the request of Mrs. ERNST, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 3166, a bill to award a Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service during World War II.

S. 3238

At the request of Mr. SCHATZ, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 3238, a bill to improve oversight by the Federal Communications Commission of the wireless and broadcast emergency alert systems.

S. 3401

At the request of Mr. WARNER, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 3401, a bill to provide minimum standards for transactions secured by a dwelling, and for other purposes.

S. 3482

At the request of Mr. CASEY, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 3482, a bill to amend the Public Health Service Act to reauthorize the Emergency Medical Services for Children program.

S. 3530

At the request of Mr. REED, the names of the Senator from Minnesota

(Ms. SMITH) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 3530, a bill to reauthorize the Museum and Library Services Act.

S. 3600

At the request of Mr. DONNELLY, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 3640, a bill to amend the Internal Revenue Code of 1986 to provide that floor plan financing includes the financing of certain trailers and campers.

S. 3645

At the request of Mr. CRAPO, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 3645, a bill to extend the Secure Rural Schools and Community Self-Determination Act of 2000.

S. 3649

At the request of Mr. GRASSLEY, the names of the Senator from Kentucky (Mr. PAUL), the Senator from Hawaii (Ms. HIRONO), the Senator from Maine (Mr. KING) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 3649, a bill to provide for programs to help reduce the risk that prisoners will recidivate upon release from prison, and for other purposes.

S. 3655

At the request of Mr. THUNE, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 3655, a bill to deter criminal robocall violations and improve enforcement of section 227(b) of the Communications Act of 1934, and for other purposes.

S. 3657

At the request of Mr. CASEY, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 3657, a bill to reauthorize the Traumatic Brain Injury program.

S. RES. 703

At the request of Mr. YOUNG, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. Res. 703, a resolution expressing support for the goals of Stomach Cancer Awareness Month.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself, Mr. HEINRICH, Mr. REED, and Ms. HARRIS):

S. 3658. A bill to require the Director of National Intelligence to submit to Congress a report on the death of Jamal Khashoggi, and for other purposes; to the Select Committee on Intelligence.

Mr. WYDEN. Mr. President, today I am introducing legislation to require the Director of National Intelligence to provide the Congress and the public an assessment of who carried out, participated in, ordered, or was otherwise complicit in, or responsible for, the murder of Jamal Khashoggi.

This question is of enormous importance to the Congress and the American people. Jamal Khashoggi was a

journalist. He wrote for the Washington Post, and he resided in the United States. He visited the Saudi Consulate in Istanbul, Turkey, only because he was seeking documents to get married. But he never came out. The Saudis killed him, and they covered it up.

Naturally, the American people want to know what happened and who ordered this assassination. In an interview on November 18, Donald Trump was asked whether the Crown Prince of Saudi Arabia, Muhammad bin Salman, lied to him when he denied knowing about Khashoggi's murder. But Trump's response was simply "Will anybody really know?"

Those kinds of judgments are what we have an Intelligence Community for. So I called for CIA Director Gina Haspel and Director of National Intelligence Dan Coats to come forward and provide a public assessment of who was responsible for the killing of Jamal Khashoggi. Unfortunately, that did not happen, and Donald Trump only doubled down. Last Tuesday, he put out a sickening statement in which he made it clear that he did not care who may have ordered the murder. In a display of cowardice and weakness, Donald Trump let it be known that his blind devotion to the Saudis will lead him to abandon American values, as well as our moral standing in the world.

The reasons behind Donald Trump's embrace of the Saudi dictators at the expense of American interests, like his affection for President Putin, are not fully known. In both cases, there are financial entanglements that demand aggressive and thorough investigation.

And, in both cases, Donald Trump has attempted to muddy the waters by casting doubts on U.S. intelligence. That is why, in his statement last Tuesday, he continued to insist that the murder of Jamal Khashoggi was an unsolvable mystery. This is what he said: "Our intelligence agencies continue to assess all information, but it could very well be that the Crown Prince had knowledge of this tragic event—maybe he did and maybe he didn't!"

Donald Trump no doubt hopes that will be the last word. But Congress can make sure that it isn't. My legislation requires the Intelligence Community to provide an unclassified, public assessment about the killing of Jamal Khashoggi. That assessment, not the predictable obfuscations of Donald Trump, will then provide the basis on which the Congress and the American people can move forward after this atrocity.

This intelligence assessment is critical to the debate currently going on in the Congress about U.S. policy toward Saudi Arabia. The Kingdom's human rights abuses go well beyond the murder of Jamal Khashoggi. A report last week about the torture of women's rights activists is just the latest of many years of accounts of abuses carried out by this autocratic and brutal

regime. Many Members of Congress, including myself, are also deeply concerned about Saudi Arabia's role in the war in Yemen, which has created almost unimaginable suffering.

The importance of a public Intelligence Community assessment about the Khashoggi murder extends beyond Saudi Arabia. If the world's dictators know that they can kill journalists and American residents, and Donald Trump will stand in the way of a public accounting, the door may be open to future murders. Congress must not allow this to happen. Congress must draw the line. That start with letting the Intelligence Community speak for itself and allowing the Nation, and the world, to know what the Intelligence Community assesses actually happened.

Finally, Mr. President, let me address the argument that the assessments of the Intelligence Community must remain secret. In many cases, I agree. But, as I've just explained, the questions about this brutal murder are far too important for Congress and the American people to accept the cloud of Donald Trump's willful ignorance. In addition, it is simply unacceptable for Donald Trump to purport to speak about intelligence matters and for the leaders of the Intelligence Community to just hide under their desks. The American taxpayer pays the Intelligence Community over \$80 billion a year to uncover the truth and arrive at objective assessments. If all the American people get is Donald Trump telling them that everything is unknowable, then what is the point? This problem has come up in other contexts, especially with regard to election interference. Unfortunately, it is not going away. So it is the job of Congress to insist that the Intelligence Community tell us what they really think. And, if they won't, then Congress must require it.

By Mr. INHOFE (for himself, Mr. REED, Mr. ROUNDS, Ms. DUCKWORTH, Mr. HELLER, and Mr. PETERS):

S. 3661. A bill to provide for a program of the Department of Defense to commemorate the 75th anniversary of World War II; considered and passed.

S. 3661

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 "75th Anniversary of World War II Commemoration Act".

SEC. 2. PROGRAM TO COMMEMORATE 75TH ANNIVERSARY OF WORLD WAR II.

(a) **COMMEMORATIVE PROGRAM AUTHORIZED.**—The Secretary of Defense shall conduct a program to commemorate the 75th anniversary of World War II. In conducting the commemorative program, the Secretary shall support and facilitate other programs and activities of the Federal Government, State and local governments, and not-for-profit organizations in commemoration of the 75th anniversary of World War II. The Secretary shall conduct the commemorative

program in accordance with applicable Department of Defense policy and using resources available to the Secretary, including amounts in the Fund under subsection (d).

(b) **COMMEMORATIVE ACTIVITIES AND OBJECTIVES.**—The commemorative program may include activities and ceremonies to achieve the following objectives:

(1) To thank and honor veterans of World War II, including personnel who were held as prisoners of war or listed as missing in action, for their service and sacrifice on behalf of the United States and to thank and honor the families of these veterans.

(2) To educate the public about the history of World War II and highlight the service of the Armed Forces during World War II and the contributions of Federal agencies and governmental and nongovernmental organizations that served with, or in support of, the Armed Forces.

(3) To pay tribute to the contributions made on the home front by the people of the United States during World War II.

(4) To recognize the contributions and sacrifices made by the allies of the United States during World War II.

(5) To remember the Holocaust, the annihilation of 6,000,000 Jews by the Nazi regime, and to pay tribute to the Allied troops who liberated Nazi concentration camps during World War II.

(c) **NAMES AND SYMBOLS.**—The Secretary of Defense shall have the sole and exclusive right to use the name “The United States of America 75th Anniversary of World War II Commemoration”, and such seal, emblems, and badges incorporating such name as the Secretary may lawfully adopt. Nothing in this section may be construed to supersede rights that are established or vested before the date of the enactment of this Act.

(d) **COMMEMORATIVE FUND.**—

(1) **ESTABLISHMENT AND ADMINISTRATION.**—Upon the Secretary establishing the commemorative program under subsection (a), the Secretary of the Treasury shall establish in the Treasury of the United States an account to be known as the “Department of Defense World War II Commemoration Fund” (in this section referred to as the “Fund”). The Fund shall be administered by the Secretary of Defense.

(2) **USE OF FUND.**—The Secretary of Defense shall use the assets of the Fund only for the purpose of conducting the commemorative program and providing grants to State and local governments and not-for-profit organizations for commemorative activities, and shall prescribe such regulations regarding the use of the Fund as the Secretary considers to be necessary.

(3) **DEPOSITS.**—The following shall be deposited into the Fund:

(A) Amounts appropriated to the Fund.

(B) Proceeds derived from the Secretary's use of the exclusive rights described in subsection (c).

(C) Donations made in support of the commemorative program by private and corporate donors.

(D) Funds transferred to the Fund by the Secretary from funds appropriated for fiscal year 2019 and subsequent years for the Department of Defense.

(4) **AVAILABILITY.**—Subject to subsection (g)(2), amounts deposited under paragraph (3) shall constitute the assets of the Fund and remain available until expended.

(5) **BUDGET REQUEST.**—The Secretary of Defense may establish a separate budget line for the commemorative program. In the budget justification materials submitted by the Secretary in support of the budget of the President for any fiscal year for which the Secretary establishes the separate budget line, the Secretary shall—

(A) identify and explain any amounts expended for the commemorative program in the fiscal year preceding the budget request;

(B) identify and explain the amounts being requested to support the commemorative program for the fiscal year of the budget request; and

(C) present a summary of the fiscal status of the Fund.

(e) **ACCEPTANCE OF VOLUNTARY SERVICES.**—

(1) **AUTHORITY TO ACCEPT SERVICES.**—Notwithstanding section 1342 of title 31, United States Code, the Secretary of Defense may accept from any person voluntary services to be provided in furtherance of the commemorative program. The Secretary of Defense shall prohibit the solicitation of any voluntary services if the nature or circumstances of such solicitation would compromise the integrity or the appearance of integrity of any program of the Department of Defense or of any individual involved in the program.

(2) **REIMBURSEMENT OF INCIDENTAL EXPENSES.**—The Secretary may provide for reimbursement of incidental expenses incurred by a person providing voluntary services under this subsection. The Secretary shall determine which expenses are eligible for reimbursement under this paragraph.

(f) **CONSULTATION WITH DIRECTOR OF THE UNITED STATES HOLOCAUST MEMORIAL MUSEUM.**—In designing the commemorative program conducted under this section, the Secretary of Defense shall consult with the Director of the United States Holocaust Memorial Museum.

(g) **FINAL REPORT.**—

(1) **REPORT REQUIRED.**—Not later than 60 days after the end of the commemorative program established by the Secretary of Defense under subsection (a), the Secretary shall submit to Congress a report containing an accounting of—

(A) all of the funds deposited into and expended from the Fund;

(B) any other funds expended under this section; and

(C) any unobligated funds remaining in the Fund.

(2) **TREATMENT OF UNOBLIGATED FUNDS.**—Unobligated amounts remaining in the Fund as of the end of the commemorative period shall be held in the Fund until transferred by law.

(h) **LIMITATION ON EXPENDITURES.**—Total expenditures from the Fund, using amounts appropriated to the Department of Defense, may not exceed \$5,000,000 for fiscal year 2019 or for any subsequent fiscal year to carry out the commemorative program.

(i) **SUNSET.**—

(1) **COMMEMORATIVE PROGRAM.**—The commemorative program shall terminate on December 31, 2021.

(2) **FUND.**—The Fund shall terminate 60 days after the termination of the commemorative program.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 707—COMMEMORATING THE 40TH ANNIVERSARY OF THE INDIAN CHILD WELFARE ACT OF 1978

Mr. UDALL (for himself, Mr. HOEVEN, Ms. MURKOWSKI, Mr. BLUMENTHAL, Mr. BOOKER, Ms. CANTWELL, Ms. CORTEZ MASTO, Ms. HARRIS, Mr. HEINRICH, Ms. HEITKAMP, Ms. HIRONO, Mr. KAINÉ, Mr. KING, Ms. KLOBUCHAR, Mr. MERKLEY, Ms. MURRAY, Mr. SCHUMER, Ms. SMITH, Mr. TESTER, Ms. WARREN, Mr. WYDEN,

and Mr. SANDERS) submitted the following resolution; which was referred to the Committee on Indian Affairs:

S. RES. 707

Whereas the United States and Indian Tribes have a unique government-to-government relationship set out in the Constitution, treaties, and statutes and affirmed through centuries of court precedent;

Whereas it is the duty of the Federal Government—

(1) to uphold that unique relationship; and
(2) to protect American Indian or Alaska Native (AIAN) children, to whom the United States owes a trust responsibility;

Whereas research shows that family, culture, and community provide all children, including American Indian and Alaska Native youth, with the tools needed to grow into healthy, resilient adults;

Whereas research conducted in the 1970s showed that—

(1) 1 out of every 3 AIAN children was removed from their families and placed in foster care or adoptive homes;

(2) 85 percent of these foster care placements and 90 percent of these adoptions resulted in AIAN children being placed in non-Indian homes; and

(3) most of these removals were not related to the threat of abuse or neglect, but rather to—

(A) a lack of understanding of tribal child-rearing and cultural practices; and

(B) the bias of those involved in making key decisions in the child welfare process;

Whereas, to address this unwarranted, disproportionate removal of AIAN children from their homes, Congress wrote the Indian Child Welfare Act of 1978 (25 U.S.C. 1901 et seq.) to carefully balance—

(1) the unique Federal responsibility for the welfare of AIANs, including AIAN children;

(2) the historical role of the States in formulating and executing child welfare policy; and

(3) the inherent and continuing sovereign authority of Indian Tribes to be involved in important child welfare decisions;

Whereas Congress unanimously passed the Indian Child Welfare Act of 1978 (25 U.S.C. 1901 et seq.) on October 14, 1978, and President Carter signed the Act into law on November 8, 1978;

Whereas the Indian Child Welfare Act of 1978 (25 U.S.C. 1901 et seq.)—

(1) adheres to the principles of tribal sovereignty;

(2) promotes the best interests of AIAN children; and

(3) ensures child welfare systems follow best practices and treat AIAN children fairly;

Whereas a coalition of leading national child welfare organizations has declared the Indian Child Welfare Act of 1978 (25 U.S.C. 1901 et seq.) to be the “gold standard” in child welfare system practices;

Whereas, over the 40 years since its enactment, the Indian Child Welfare Act of 1978 (25 U.S.C. 1901 et seq.) has served as a model for multiple States that have enacted similar or identical provisions in their own statutes, regulations, and procedures;

Whereas, Indian Tribes are united in their support for the Indian Child Welfare Act of 1978 (25 U.S.C. 1901 et seq.) and have worked collaboratively with States and local governments to support compliance with the Act; and

Whereas, despite progress made by the Indian Child Welfare Act of 1978 (25 U.S.C. 1901 et seq.), the need for its protections remains: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the 40th anniversary of the enactment of the Indian Child Welfare Act of 1978 (25 U.S.C. 1901 et seq.);

(2) reaffirms that the Indian Child Welfare Act of 1978 (25 U.S.C. 1901 et seq.)—

(A) protects the best interests of Indian children;

(B) promotes the stability and security of Indian Tribes and families; and

(C) respects the sovereign authority of both the States and Indian Tribes; and

(3) calls on the Federal Government to continue working with Indian Tribes and States to fully uphold and implement the Indian Child Welfare Act of 1978 (25 U.S.C. 1901 et seq.).

SENATE RESOLUTION 708—EX-PRESSING THE NEED FOR BOLD CLIMATE ACTION IN RESPONSE TO THE RELEASE OF THE UNITED NATIONS REPORT ENTITLED “GLOBAL WARMING OF 1.5 C, AN IPCC SPECIAL REPORT ON THE IMPACTS OF GLOBAL WARMING OF 1.5 C ABOVE PRE-INDUSTRIAL LEVELS AND RELATED GLOBAL GREENHOUSE GAS EMISSION PATHWAYS, IN THE CONTEXT OF STRENGTHENING THE GLOBAL RESPONSE TO THE THREAT OF CLIMATE CHANGE, SUSTAINABLE DEVELOPMENT, AND EFFORTS TO ERADICATE POVERTY” AND THE FOURTH NATIONAL CLIMATE ASSESSMENT REPORT ENTITLED “VOLUME II: IMPACTS, RISKS, AND ADAPTATION IN THE UNITED STATES” BY THE UNITED STATES GLOBAL CHANGE RESEARCH PROGRAM

Mr. MERKLEY (for himself, Mr. MARKEY, Mr. WHITEHOUSE, Mr. VAN HOLLEN, Mr. UDALL, Mr. BLUMENTHAL, Mrs. MURRAY, Mr. BOOKER, Ms. HIRONO, Ms. SMITH, Ms. KLOBUCHAR, Mr. WYDEN, Ms. BALDWIN, Mr. SCHATZ, Mrs. FEINSTEIN, Mr. CARDIN, Mr. DURBIN, Mrs. SHAHEEN, Mr. REED, Mrs. GILLIBRAND, Ms. CANTWELL, Ms. HARRIS, Ms. DUCKWORTH, Ms. HASSAN, and Mr. BENNET) submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 708

Whereas, on October 8, 2018, the Intergovernmental Panel on Climate Change released a report entitled “Global Warming of 1.5 °C, an IPCC special report on the impacts of global warming of 1.5 °C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty” (referred to in this preamble as the “IPCC report”) in response to an invitation from the United Nations Framework Convention on Climate Change;

Whereas the IPCC report was written by 91 authors and review editors from 40 countries, including the United States, and was reviewed by thousands of expert and government reviewers from around the world;

Whereas, on November 23, 2018, the United States Global Change Research Program delivered its congressionally mandated Fourth Annual Climate Assessment report entitled “Volume II: Impacts, Risks, and Adaptation

in the United States” (referred to in this preamble as the “NCA report”);

Whereas the NCA report represents the findings of over 300 Federal and non-Federal experts and was reviewed by the 13 Federal agencies that comprise the United States Global Change Research Program;

Whereas the IPCC report found that—

(1) increases in global temperature above pre-industrial levels are overwhelmingly the result of anthropogenic sources of atmospheric carbon and other greenhouse gases;

(2) the last 50-year period in the Northern Hemisphere had the warmest average temperature of any 50-year period in the last 500 years;

(3) Earth is already experiencing the consequences of 1 degree Celsius warming above pre-industrial levels in the form of extreme weather, rising sea levels, longer and more severe droughts, diminishing Arctic sea ice, and diminished glacial and snow cover, among other impacts;

(4) as the global temperature continues to rise, the impacts of a warming atmosphere increase in severity;

(5) the difference between warming of 1.5 degrees Celsius and 2 degrees Celsius is substantial, and limiting warming to 1.5 degrees Celsius is affordable, feasible, and necessary to protect people from the worst impacts of climate change, including extreme heat, drought, floods, and increased poverty and instability;

(6) compared to warming of 1.5 degrees Celsius, warming at or above 2 degrees Celsius could—

(A) result in a global sea level rise of an additional 10 centimeters and substantially more summers without Arctic sea ice;

(B) worsen impacts to terrestrial, freshwater, coastal, and marine ecosystems; and

(C) increase the risk of species loss and extinctions;

(7) warming at or above 2 degrees Celsius could also lead to—

(A) a loss of greater than 99 percent of all coral reefs on Earth; and

(B) mass migration from regions most affected by atmospheric changes;

(8) at a rise in temperature of 1.5 degrees Celsius, the global population exposed to water stress could be 50 percent lower than if the global temperature rises by 2 degrees Celsius;

(9) the number of people exposed to extreme heat waves would rise substantially with an increase in global temperature of 2 degrees Celsius rather than 1.5 degrees Celsius;

(10) at current rates of greenhouse gas emissions, Earth will warm by 1.5 degrees Celsius above pre-industrial levels by 2040; and

(11) to avoid the effects of a rise in global temperature of 1.5 degrees Celsius by 2040, net global greenhouse gas emissions must be reduced by 45 percent below 2010 levels by 2030 and 100 percent below 2010 levels by 2050;

Whereas the NCA report found that, in the United States—

(1) rising sea levels caused by a changing climate already threaten infrastructure and ecosystems; and

(2) warming at or above 2 degrees Celsius will cause—

(A) over \$500,000,000,000 annually in lost economic output from crop failure, lost labor, and damages related to extreme weather;

(B) crop yields of corn and soybeans to fall an average of 15 percent;

(C) wildfires to burn at least twice as much forest area annually;

(D) an additional 2,000 premature deaths annually from higher temperatures in the Midwest; and

(E) sea levels to continue to rise, threatening public infrastructure and coastal real estate valued at \$1,000,000,000,000;

Whereas the United States is—

(1) a global leader;

(2) a member of the global community and is affected by climate impacts such as those outlined in the IPCC report; and

(3) already suffering from the impacts of climate change;

Whereas it is possible and economically beneficial to transition to a low-carbon emission economy that would not contribute to global climate change and would result in sustainable economic growth; and

Whereas the Government of the United States has failed to enact policies to effectively transition to a low-carbon emission economy or to reduce greenhouse gas emissions in line with scientific recommendations to reduce global temperature changes: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and accepts the findings of the Intergovernmental Panel on Climate Change in the report of October 8, 2018, entitled “Global Warming of 1.5 °C, an IPCC special report on the impacts of global warming of 1.5 °C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty”;

(2) recognizes and accepts the findings of the Fourth National Climate Assessment report entitled “Volume II: Impacts, Risks, and Adaptation in the United States” by the United States Global Change Research Program; and

(3) expresses that it is the sense of the Senate that—

(A) reducing greenhouse gas emissions in line with the recommendations of the Intergovernmental Panel on Climate Change and the United States Global Change Research Program would help avoid the most devastating climate change impacts and would be good for all people of the United States; and

(B) immediate action by Congress and the executive branch is needed to help reduce global greenhouse gas emissions by 45 percent below 2010 levels by 2030 and 100 percent below 2010 levels by 2050.

Mr. MERKLEY. Mr. President, the most important words of our Constitution are the first three: “We the People.” These words were written in supersized font so that anyone standing across the room would know exactly what the vision of our Constitution is all about: government of, by, and for the people, as Abraham Lincoln put it—not a nation by and for the privileged, not a nation by and for the powerful, but for the people.

Unfortunately, we see too much today of our government being taken over by the powerful. We see the use of gerrymandering, which has totally corrupted the distribution of power in the House of Representatives just down that hallway. We see the use of voter suppression in State after State. My colleague from Illinois just pointed out that a man nominated to be a judge here in the United States of America was a key advocate, a key participant, a key architect of voter suppression. That should deeply trouble every Member of this body because if you believe in the vision of our Constitution, you

would be a full-on advocate for voter empowerment, not voter suppression.

We see this played out in all kinds of different policies. We saw it played out in 2017 when the powerful drove through this body a \$1.5 trillion theft of Federal resources and distributed it to the richest Americans. That is what happens in corrupt countries far overseas. But it happened right here, right in this Chamber—a theft of \$1.5 trillion out of our Treasury, distributed through that tax bill to the richest Americans. I can tell my colleagues after having done 360 townhalls in my home state, 220 of them in very red counties, no one has ever come up to me—not from the left or the right or the center—and said: I have a great idea. Let's raid the Federal Treasury and distribute it to the richest people among us. Yet that is what we see with government by and for the powerful, as demonstrated right now, here in this U.S. Senate and the House of Representatives down the hall.

I will tell you where else we see it. We see it in the neglect of our responsibility to care for our beautiful blue-green planet. All across the land, we are seeing the devastating consequences of carbon pollution and the heat that it is trapping and the consequences that is driving. Yet here in this Chamber, on this most important responsibility, we do absolutely nothing. In fact, we make it worse, with the majority serving simply as the implementers of whatever version of fossil fuel special favor, special interest, powerful interest policy they can possibly think up—more and more for fossil fuels, more and more damage to our country.

This, certainly, is a situation we are in where we are seeing our land pilaged and polluted. That is a battle we have been waging for many years, but this last week we had a powerful reminder of just how much trouble we are in. Just last week—last Friday—the Trump administration released the "Fourth National Climate Assessment," and what it has to say is frightening. It is shocking. Realize that this is not some environmental group; this is not some leftwing think tank; this is the Trump administration releasing this report.

This is what it has to say. It says that our climate is changing, that its impacts are being felt all around us because of human activity and the carbon pollution being released into the atmosphere from the burning of fossil fuels. This report was written by 13 Federal agencies, and it reiterates this point time and again, and it has the following sentence: "Earth's climate is now changing faster than at any point in the history of modern civilization, primarily as a result of human activities."

This is the statement from the Trump administration's 13 agencies that came together to alert us to exactly where we stand.

What does this mean in real terms? Well, it means we are going to see

many more extremely hot days and far fewer cold days. We are going to see more extreme weather events, like the recordbreaking heat waves, like the extensive wildfires out West, like the intensified and deadly hurricanes that have been crashing on our shores.

We are also going to see the impact in our economy. The report estimates that within our children's lifetime, climate chaos will cost our Nation upward of one-half trillion dollars each year in crop damage, in lost labor, and in extreme weather damage to public infrastructure and that we will lose another \$1 trillion each year in lost wealth and real estate along our coasts because of rising sea levels and because of more powerful hurricanes—hurricanes that remind us of Michael, Harvey, Irma, and Maria over the last 2 years.

We will also see an impact on winter tourism because of lower snowpack in the mountains, which means less skiing, snowboarding, and snowmobiling.

Back home in Oregon, when the snow level drops, we see a dramatic drop in snow tourism. We don't just think of it as tourism; we also think of it as our joy of being able to participate in these activities in our beautiful Cascade Mountains. Of course, that smaller snowpack means warmer, smaller streams—not too good for fishing—and it certainly means less water for irrigation.

The report—again, the Trump administration report—estimates that in parts of the Midwest, farmers will be able to produce less than 75 percent of the corn they produce today, with a similar impact on soybean yield, and corn and soybeans make up the vast majority of the 127 million acres of the Midwest's agricultural production. That area, in fact, is one of the most intense areas of agricultural production in the world, responsible for \$76 billion per year in economic activity. So when it takes a big hit, the economy of the Midwest takes a big hit. That means a lot of farmers losing their farms.

Then we have the health impacts that are laid out in this report—again, the Trump administration report. It lays out that there will be an estimated 2,000 additional premature deaths per year from extreme temperatures and unsafe breathing conditions. Within our child's lifetime, the report says, Chicago could resemble Phoenix, with up to 2 months of over-100-degree days, and scorching temperatures could make Phoenix practically uninhabitable for up to 5 months of the year.

Human health will also be affected with an expansion of mosquito-borne and tick-borne illnesses and water-borne disease, as well as ailments related to air contamination from wildfire smoke. This isn't just some future challenge; it is a challenge we have today. In both of the last two summers, a good portion of my State was covered by smoke from wildfires, and the result was that a lot of people had breathing

difficulties and more intensified breathing difficulties, and a good number ended up in the hospital. A lot of asthma was triggered by that smoke. A lot of people cancelled their outdoor activities during the time of year when we most value the opportunity to be on the beach, in the mountains, on the hiking trails, and at the lakes.

Certainly, we saw economic consequences. Many of our outdoor concerts and venues, including festivals, had to cancel performances. I talked to the owner of a furniture store who said that even he was impacted because of the taint from the smoke smell. Certainly, our wine producers were concerned about what that might do to the taste of Oregon's fantastic pinot noir—the world's best, the best on the planet—pinot noir wine.

So who will bear the brunt of these health emergencies? Is it the powerful and privileged, who are driving the policies to keep burning as much fossil fuels as they possibly can to turn their multimillionaires into multibillionaires? No. The powerful and privileged, living in their gated communities, with their air-filtered and air-conditioned mansions, will protect themselves. They will move to where the impacts are the least. Who will bear the brunt? The young and the old, whose immune systems are more susceptible to health problems; low-income and middle-income Americans, who can't afford to move to where there are fewer consequences, whose jobs are most likely to be impacted by the economic consequences of climate chaos.

I know President Trump wanted to ignore his own report and put it out on Black Friday because he figured that the day after Thanksgiving is the day when the fewest Americans would pay attention. That is why I am on the floor right now to draw attention to this report, the Trump report, on the devastating consequences of continuing to burn fossil fuels.

Everything we saw laid out in this "National Climate Assessment" from the Trump administration was echoed by the international report from the Intergovernmental Panel on Climate Change that was released last month. That report summarized that within the next 12 years—we are not talking 12 centuries or 12 decades but 12 years—we are going to start feeling intensified effects of climate chaos on top of what we have already experienced. The Intergovernmental Panel on Climate Change report was put together by 91 researchers in 41 countries. They summarized that we have already passed the 1-degree centigrade warming mark, which is almost 2 degrees Fahrenheit. They said we are well on our way to the 2-degree mark, which means catastrophic climate chaos.

If you were in the middle of the fires in Oregon, if you were in the middle of the fire in Paradise, CA, if you were in the path of Hurricanes Irma, Maria, or Michael, you might already say we have catastrophic climate chaos, but

they are using the term to describe a significant amplification from what we are seeing right now. They are ringing a five-alarm fire bell to say: This is the moment to wake up.

Wake up, America. You are a democratic republic. You are supposed to be able to respond to the challenges that come before us. And we have a massive challenge: devastating consequences of carbon pollution. You must stop burning carbon. Find a path to change how we operate in transportation, how we operate in generating electricity. Address this issue. Hold every hearing, summon every scientist, ring every bell, and get to work. That is what these two reports are saying to us.

So, colleagues, if you are sitting here asleep at the switch, you are not doing your job. If you are sitting here advocating for the fossil fuel industry, you are worse than not doing your job—you are helping to damage the land across this great Nation for all Americans. So wake up and get to work.

This isn't a Democratic issue or a Republican issue, a blue county or red county. In fact, the biggest impacts are felt in our red counties, where the foundation of the economy is farming, fishing, and forestry, and every one of those is being impacted by this effect. So we, as representatives in our democratic Republic, with our "We the People" Constitution—it is our job to operate for the people, not for the powerful, not for the privileged.

I will be introducing a resolution that recognizes and accepts the findings of these reports, acknowledges the expertise from 91 scientists in 41 countries and 300 scientists in 13 Federal agencies, the combined efforts of these two reports that say that we are in trouble and we must act, and we must act in partnership with the world.

We need to act here. We need to say to Trudeau of Canada: You want to be a climate leader. You claim you are a climate leader. Why are you tripling the size of the pipeline that serves the tar sands?

We need to say to the leadership of Australia: Your outback is on fire during your winter. Your coral reefs are dying. The Great Barrier Reef has died in the last 10 years. Why are you doubling down on coal?

We need to say to Japan: Don't base your energy future on liquefied natural gas, which is simply another fossil fuel strategy.

We need to say to Germany: Why do you want this gas pipeline from Russia as a foundation for your energy future?

Let's all be in this together because if any nation acts by itself, we can't change the course—the big course, the big picture—of the damage carbon pollution is doing. We have to work together. That means we now pivot and say: Let's recognize that renewable energy is now the cheapest energy. It is less expensive to generate a kilowatt hour of electricity from renewable energy, from solar wind, than it is from fossil fuels. Let's not just realize that

carbon is doing all this damage; let's also recognize that the strongest economy will be built on the cheapest energy, which is renewable energy. So we have every reason to act.

Let's remember that we were founded as a "we the people" vision, and let's honor that vision.

SENATE RESOLUTION 709—CONDEMNING RUSSIA'S PROVOCATIVE ACTIONS IN THE KERCH STRAIT AGAINST THE UKRAINIAN NAVY

Mr. JOHNSON (for himself, Mr. MURPHY, Mr. BARRASSO, Mrs. SHAHEEN, Mr. PORTMAN, Mr. RUBIO, Mr. MARKEY, Mr. COTTON, and Mr. MORAN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 709

Whereas, on November 24, 2018, Ukraine commemorated the 85th anniversary of the Ukrainian Famine of 1932–1933, known as the Holodomor, in which millions of Ukrainians perished under Soviet policies designed to break Ukrainian resistance to Soviet communist rule and forced collectivization;

Whereas, on November 25, 2018, Russian Federation military forces fired on three Ukrainian Navy vessels attempting to transit the Kerch Strait between the Black Sea and the Sea of Azov;

Whereas the three Ukrainian ships were seized by Russian Federation forces, and Ukrainian government officials stated that at least six of the 24 captured Ukrainian sailors were wounded in the incident;

Whereas the Russian Federation's seizure of the Ukrainian vessels is a blatant violation of its commitments under international law and a 2003 Agreement between the Russian Federation and Ukraine on cooperation in the use of the sea of Azov and the strait of Kerch;

Whereas, on May 15, 2018, the Government of the Russian Federation completed construction of a road and rail bridge over the Kerch Strait, connecting Russia with Crimea in Ukraine, and has systematically harassed Ukrainian and international shipping transiting between the Black Sea and the Sea of Azov;

Whereas, in March 2014, Russian Federation forces invaded and occupied Ukraine's Crimean peninsula, in full contravention of the Russian Federation's commitments under the United Nations Charter and the Helsinki Final Act condemning the threat or use of force as means of altering international borders;

Whereas the Government of the Russian Federation has increased considerably its military presence in occupied Crimea since 2014, including increasing military personnel to an estimated 28,000–29,000, adding six new submarines and three frigates to the Black Seas Fleet, and deploying S-400 long-range air defense battalions;

Whereas the Government of the Russian Federation continues its efforts to destabilize eastern Ukraine, bears responsibility for the ongoing conflict that has cost the lives of over 10,000 Ukrainians, and recently orchestrated illegitimate leadership elections in the Luhansk and Donetsk regions;

Whereas section 1234 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1659) authorizes the Secretary of Defense, in coordination with the Secretary of State, to provide appropriate security assistance to the Ukrainian Armed Forces; and

Whereas, on July 25, 2018, Secretary of State Michael Pompeo issued the Crimea Declaration, cementing United States non-recognition of Russian sovereignty over Crimea and calling upon Russia to uphold its commitments under international law regarding the territorial integrity of other states: Now, therefore, be it

Resolved, That the Senate—

(1) strongly condemns the provocative actions of the Government of the Russian Federation in the Kerch Strait against the Ukrainian navy;

(2) calls upon the Government of Russia to immediately release all Ukrainian crew members and vessels and to cease its harassment of Ukrainian and international shipping transiting the Kerch Strait;

(3) stresses that the behavior of the Government of the Russian Federation is destabilizing for the entire region and invites further escalations;

(4) urges members of the international community to unite in opposition to the actions of the Government of the Russian Federation in the Kerch Strait, as they infringe upon fundamental principles of international law affecting all nations;

(5) welcomes and affirms Secretary of State Pompeo's Crimea Declaration announcing United States policy to never recognize Russia's attempted annexation of Crimea;

(6) reaffirms the unwavering support of the people and the Government of the United States for the people of Ukraine and Ukraine's territorial integrity; and

(7) calls upon the President and the entire Administration to implement an all-of-government approach to forcefully express opposition to the Russian Federation's November 25, 2018, attack on Ukrainian forces at every opportunity.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4063. Mr. MCCONNELL (for Mr. ISAKSON) proposed an amendment to the bill H.R. 3946, to name the Department of Veterans Affairs community-based outpatient clinic in Statesboro, Georgia, the Ray Hendrix Department of Veterans Affairs Clinic.

SA 4064. Mr. MCCONNELL (for Mr. ISAKSON) proposed an amendment to the bill H.R. 3946, *supra*.

SA 4065. Mr. MCCONNELL (for Ms. BALDWIN) proposed an amendment to the resolution S. Res. 424, honoring the 25th anniversary of the National Guard Youth Challenge Program.

SA 4066. Mr. MCCONNELL (for Mr. MENENDEZ) proposed an amendment to the bill H.R. 1918, to oppose loans at international financial institutions for the Government of Nicaragua unless the Government of Nicaragua is taking effective steps to hold free, fair, and transparent elections, and for other purposes.

TEXT OF AMENDMENTS

SA 4063. Mr. MCCONNELL (for Mr. ISAKSON) proposed an amendment to the bill H.R. 3946, to name the Department of Veterans Affairs community-based outpatient clinic in Statesboro, Georgia, the Ray Hendrix Department of Veterans Affairs Clinic; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. NAME OF DEPARTMENT OF VETERANS AFFAIRS COMMUNITY-BASED OUTPATIENT CLINIC, STATESBORO, GEORGIA.

The Department of Veterans Affairs community-based outpatient clinic in

Statesboro, Georgia, shall after the date of the enactment of this Act be known and designated as the “Ray Hendrix Department of Veterans Affairs Clinic” or the “Ray Hendrix VA Clinic”. Any reference to such clinic in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Ray Hendrix Department of Veterans Affairs Clinic.

SA 4064. Mr. McCONNELL (for Mr. ISAKSON) proposed an amendment to the bill H.R. 3946, to name the Department of Veterans Affairs community-based outpatient clinic in Statesboro, Georgia, the Ray Hendrix Department of Veterans Affairs Clinic; as follows:

Amend the title so as to read: “An Act to name the Department of Veterans Affairs community-based outpatient clinic in Statesboro, Georgia, the Ray Hendrix Department of Veterans Affairs Clinic.”.

SA 4065. Mr. McCONNELL (for Ms. BALDWIN) proposed an amendment to the resolution S. Res. 424, honoring the 25th anniversary of the National Guard Youth Challenge Program; as follows:

In the seventh whereas clause of the preamble, strike “10,000” and insert “11,000”.

In the eighth whereas clause of the preamble, strike “40” and insert “39”.

In the ninth whereas clause of the preamble, strike “160,000” and insert “165,000”.

In the tenth whereas clause of the preamble, strike “110,000” and insert “116,000”.

SA 4066. Mr. McCONNELL (for Mr. MENENDEZ) proposed an amendment to the bill H.R. 1918, to oppose loans at international financial institutions for the Government of Nicaragua unless the Government of Nicaragua is taking effective steps to hold free, fair, and transparent elections, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Nicaragua Human Rights and Anticorruption Act of 2018”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Sense of Congress on advancing a negotiated solution to Nicaragua’s crisis.
- Sec. 3. Statement of policy.
- Sec. 4. Restrictions on international financial institutions relating to Nicaragua.
- Sec. 5. Imposition of targeted sanctions with respect to Nicaragua.
- Sec. 6. Annual certification and waiver.
- Sec. 7. Report on human rights violations and corruption in Nicaragua.
- Sec. 8. Civil society engagement strategy.
- Sec. 9. Reform of Western Hemisphere Drug Policy Commission.
- Sec. 10. Termination.
- Sec. 11. Definitions.

SEC. 2. SENSE OF CONGRESS ON ADVANCING A NEGOTIATED SOLUTION TO NICARAGUA’S CRISIS.

It is the sense of Congress that—

(1) credible negotiations between the Government of Nicaragua and representatives of Nicaragua’s civil society, student movement, private sector, and political opposition, mediated by the Catholic Church in Nicaragua, represent the best opportunity to reach a peaceful solution to the current political crisis that includes—

(A) a commitment to hold early elections that meet democratic standards and permit credible international electoral observation;

(B) the cessation of the violence perpetrated against civilians by the National Police of Nicaragua and by armed groups supported by the Government of Nicaragua; and

(C) independent investigations into the killings of protesters; and

(2) negotiations between the Government of Nicaragua and representatives of Nicaragua’s civil society, student movement, private sector, and political opposition, mediated by the Catholic Church in Nicaragua, have not resulted in an agreement as of the date of the enactment of this Act because the Government of Nicaragua has failed to credibly participate in the process.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States to support—

(1) the rule of law and an independent judiciary and electoral council in Nicaragua;

(2) democratic governance in Nicaragua;

(3) free and fair elections overseen by credible domestic and international observers in Nicaragua; and

(4) anti-corruption and transparency efforts in Nicaragua.

SEC. 4. RESTRICTIONS ON INTERNATIONAL FINANCIAL INSTITUTIONS RELATING TO NICARAGUA.

(a) **RESTRICTIONS.**—The Secretary of the Treasury shall—

(1) instruct the United States Executive Director at each international financial institution of the World Bank Group to use the voice, vote, and influence of the United States to oppose the extension by the International Finance Corporation of any loan or financial or technical assistance to the Government of Nicaragua for a project in Nicaragua;

(2) instruct the United States Executive Director of the Inter-American Development Bank to use the voice, vote, and influence of the United States to oppose the extension by the Bank of any loan or financial or technical assistance to the Government of Nicaragua for a project in Nicaragua; and

(3) instruct the United States Executive Director of each other international financial institution, including the International Monetary Fund, to work with other key donor countries to develop a coherent policy approach to future engagements with and lending to the Government of Nicaragua, in a manner that will advance human rights, including the full restoration of the rights guaranteed to the people of Nicaragua through the commitments made by the Government of Nicaragua as a signatory of the International Covenant on Civil and Political Rights.

(b) **EXCEPTIONS FOR BASIC HUMAN NEEDS AND DEMOCRACY PROMOTION.**—The restrictions under paragraphs (1) and (2) of subsection (a) shall not apply with respect to any loan or financial or technical assistance provided to address basic human needs or to promote democracy in Nicaragua.

(c) **BRIEFING BY THE SECRETARY OF THE TREASURY.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of the Treasury shall brief the appropriate congressional committees on the effectiveness of international financial institutions in enforcing applicable program safeguards in Nicaragua.

SEC. 5. IMPOSITION OF TARGETED SANCTIONS WITH RESPECT TO NICARAGUA.

(a) **IN GENERAL.**—The President shall impose the sanctions described in subsection (c) with respect to any foreign person, including any current or former official of the Government of Nicaragua or any person acting on

behalf of that Government, that the President determines—

(1) to be responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, or to have knowingly participated in, directly or indirectly, any activity described in subsection (b);

(2) to be a leader of—

(A) an entity that has, or whose members have, engaged in any activity described in subsection (b); or

(B) an entity whose property and interests in property are blocked under subsection (c)(1)(A) as a result of activities related to the tenure of the leader;

(3) to have knowingly materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of—

(A) an activity described in subsection (b); or

(B) a person whose property and interests in property are blocked under subsection (c)(1)(A); or

(4) to be owned or controlled by, or to have knowingly acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked under subsection (c)(1)(A).

(b) **ACTIVITIES DESCRIBED.**—An activity described in this subsection is any of the following in or in relation to Nicaragua on or after April 18, 2018:

(1) Significant acts of violence or conduct that constitutes a serious abuse or violation of human rights against persons associated with the protests in Nicaragua that began on April 18, 2018.

(2) Significant actions or policies that undermine democratic processes or institutions.

(3) Acts of significant corruption by or on behalf of the Government of Nicaragua or a current or former official of the Government of Nicaragua, including—

(A) the expropriation of private or public assets for personal gain or political purposes;

(B) corruption related to government contracts;

(C) bribery; or

(D) the facilitation or transfer of the proceeds of corruption.

(4) The arrest or prosecution of a person, including an individual or media outlet disseminating information to the public, primarily because of the legitimate exercise by such person of the freedom of speech, assembly, or the press.

(c) **SANCTIONS DESCRIBED.**—

(1) **IN GENERAL.**—The sanctions described in this subsection are the following:

(A) **ASSET BLOCKING.**—The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a person determined by the President to be subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) **EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.**—In the case of an alien determined by the President to be subject to subsection (a), denial of a visa to, and exclusion from the United States of, the alien, and revocation in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of any visa or other documentation of the alien.

(2) **PENALTIES.**—A person that violates, attempts to violate, conspires to violate, or causes a violation of a measure imposed pursuant to paragraph (1)(A) or any regulation,

license, or order issued to carry out paragraph (1)(A) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(3) **EXCEPTION RELATING TO IMPORTATION OF GOODS.**—The requirement to block and prohibit all transactions in all property and interests in property under paragraph (1)(A) shall not include the authority to impose sanctions on the importation of goods.

(4) **EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.**—Sanctions under paragraph (1)(B) shall not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(d) **IMPLEMENTATION; REGULATORY AUTHORITY.**—

(1) **IMPLEMENTATION.**—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) **REGULATORY AUTHORITY.**—The President shall issue such regulations, licenses, and orders as are necessary to carry out this section.

SEC. 6. ANNUAL CERTIFICATION AND WAIVER.

(a) **CERTIFICATION.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit to the appropriate congressional committees a report certifying whether the Government of Nicaragua is taking effective steps—

(1) to strengthen the rule of law and democratic governance, including the independence of the judicial system and electoral council;

(2) to combat corruption, including by investigating and prosecuting cases of public corruption;

(3) to protect civil and political rights, including the rights of freedom of the press, speech, and association, for all people of Nicaragua, including political opposition parties, journalists, trade unionists, human rights defenders, indigenous peoples, and other civil society activists;

(4) to investigate and hold accountable officials of the Government of Nicaragua and other persons responsible for the killings of individuals associated with the protests in Nicaragua that began on April 18, 2018; and

(5) to hold free and fair elections overseen by credible domestic and international observers

(b) **WAIVER.**—

(1) **TEMPORARY GENERAL WAIVER.**—If the Secretary certifies to the appropriate congressional committees under subsection (a) that the Government of Nicaragua is taking effective steps as described in that subsection, the President may waive the application of the restrictions under section 4 and sanctions under section 5 for a period of not more than one year beginning on the date of the certification.

(2) **NATIONAL INTEREST WAIVER.**—The President may waive the application of the restrictions under section 4 and sanctions under section 5 if the President—

(A) determines that such a waiver is in the national interest of the United States; and

(B) submits to the appropriate congressional committees a notice of and justification for the waiver.

(3) **SENSE OF CONGRESS.**—It is the sense of Congress that the President should exercise the waiver authority provided under paragraph (1) if the Secretary of State certifies under subsection (a) that the Government of Nicaragua is taking effective steps as described in that subsection.

(c) **CONSULTATION.**—In preparing a certification required by subsection (a), the Secretary shall consult with the appropriate congressional committees.

(d) **ANNUAL BRIEFING.**—The Secretary shall annually brief the appropriate congressional committees on whether the Government of Nicaragua is taking effective steps as described in subsection (a).

SEC. 7. REPORT ON HUMAN RIGHTS VIOLATIONS AND CORRUPTION IN NICARAGUA.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, acting through the Assistant Secretary of State for Intelligence and Research, and in coordination with the Secretary of the Treasury and the Director of National Intelligence, shall submit to the appropriate congressional committees a report on—

(1) the involvement of senior officials of the Government of Nicaragua, including members of the Supreme Electoral Council, the National Assembly, and the judicial system, in human rights violations, acts of significant corruption, and money laundering; and

(2) persons that transfer, or facilitate the transfer of, goods or technologies for use in or with respect to Nicaragua, that are used by the Government of Nicaragua to commit serious human rights violations against the people of Nicaragua.

(b) **FORM.**—The report required by subsection (a) may be classified.

SEC. 8. CIVIL SOCIETY ENGAGEMENT STRATEGY.

Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall brief the appropriate congressional committees on a strategy—

(1) for engaging relevant elements of civil society in Nicaragua, including independent media, human rights, and anti-corruption organizations, to strengthen rule of law and increase accountability for human rights abuses and corruption in Nicaragua; and

(2) setting forth measures to support the protection of human rights and anti-corruption advocates in Nicaragua.

SEC. 9. REFORM OF WESTERN HEMISPHERE DRUG POLICY COMMISSION.

Section 603(f)(1) of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114–323; 130 Stat. 1938) is amended by striking “Not later than 60 days after the date of the enactment of this Act, the Commission shall hold an initial meeting to develop and implement” and inserting “At the initial meeting of the Commission, the Commission shall develop and implement”.

SEC. 10. TERMINATION.

The provisions of this Act (other than section 9) shall terminate on December 31, 2023.

SEC. 11. DEFINITIONS.

In this Act:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Appropriations of the House of Representatives.

(2) **GOOD.**—The term “good” means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(3) **PERSON.**—The term “person” means an individual or entity.

(4) **UNITED STATES PERSON.**—The term “United States person” means any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including a foreign branch of such an entity), or any person in the United States.

AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have 6 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, November 27, 2018, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, November 27, 2018, at 10 a.m., to conduct a hearing on the following nominations: Rita Baranwal, of Pennsylvania, to be an Assistant Secretary of Energy (Nuclear Energy), Bernard L. McNamee, of Virginia, to be a Member of the Federal Energy Regulatory Commission, and Raymond David Vela, of Texas, to be Director of the National Park Service, Department of the Interior.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, November 27, 2018, at 2:30 p.m., to conduct a closed hearing.

SUBCOMMITTEE ON SEAPOWER

The Subcommittee on Seapower of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, November 27, 2018, at 2:30 p.m., to conduct a hearing.

SUBCOMMITTEE ON CONSUMER PROTECTION, PRODUCT SAFETY, INSURANCE, AND DATA SECURITY

The Subcommittee on Communication, Technology, Innovation, and The Internet of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, November 27, 2018, at 2:30 p.m., to conduct a hearing entitled “Oversight of the Federal Trade Commission.”

SUBCOMMITTEE ON MULTILATERAL, INTERNATIONAL DEVELOPMENT, MULTILATERAL INSTITUTIONS, AND INTERNATIONAL ECONOMIC, ENERGY, AND ENVIRONMENTAL POLICY

The Subcommittee on Multilateral, International Development, Multilateral Institutions, and International Economic, Energy, and Environmental

Policy of the Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, November 27, 2018, at 2:30 p.m., to conduct a hearing entitled "Multilateral Economic Institutions and U.S. Foreign Policy."

ESTABLISHING A PROCEDURE FOR THE CONVEYANCE OF CERTAIN FEDERAL PROPERTY AROUND THE JAMESTOWN RESERVOIR IN THE STATE OF NORTH DAKOTA

Mr. MCCONNELL. Mr. President, I ask that the Chair lay before the Senate the message to accompany S. 2074. The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 2074) entitled "An Act to establish a procedure for the conveyance of certain Federal property around the Jamestown Reservoir in the State of North Dakota, and for other purposes.", do pass with an amendment.

MOTION TO CONCUR

Mr. MCCONNELL. Mr. President, I move to concur in the House amendment and ask unanimous consent that the motion be agreed to and that the motion to reconsider be considered made and laid upon the table.

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

ESTABLISHING A PROCEDURE FOR THE CONVEYANCE OF CERTAIN FEDERAL PROPERTY AROUND THE DICKINSON RESERVOIR IN THE STATE OF NORTH DAKOTA

Mr. MCCONNELL. Mr. President, I ask that the Chair lay before the Senate the message to accompany S. 440.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 440) entitled "An Act to establish a procedure for the conveyance of certain Federal property around the Dickinson Reservoir in the State of North Dakota.", do pass with an amendment.

MOTION TO CONCUR

Mr. MCCONNELL. Mr. President, I move to concur in the House amendment and ask unanimous consent that the motion be agreed to and that the motion to reconsider be considered made and laid upon the table.

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

REPEALING SECTION 2141 OF THE REVISED STATUTES TO REMOVE THE PROHIBITION ON CERTAIN ALCOHOL MANUFACTURING ON INDIAN LANDS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 650, H.R. 5317.

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

The legislative clerk read as follows: A bill (H.R. 5317) to repeal section 2141 of the Revised Statutes to remove the prohibi-

tion on certain alcohol manufacturing on Indian lands.

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

Mr. MCCONNELL. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 5317) was ordered to a third reading, was read the third time, and passed.

REPEALING THE ACT ENTITLED "AN ACT TO CONFER JURISDICTION ON THE STATE OF IOWA OVER OFFENSES COMMITTED BY OR AGAINST INDIANS ON THE SAC AND FOX INDIAN RESERVATION"

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Indian Affairs Committee be discharged and the Senate proceed to immediate consideration of H.R. 1074.

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

The legislative clerk read as follows:

A bill (H.R. 1074) to repeal the Act entitled "An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation."

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time.

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

The bill was ordered to a third reading and was read the third time.

Mr. MCCONNELL. I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 1074) was passed.

Mr. MCCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

RAY HENDRIX VETERANS CLINIC

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Veterans Affairs Committee be discharged from further consideration of H.R. 3946, and the Senate proceed to its immediate consideration.

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

The legislative clerk read as follows:

A bill (H.R. 3946) to name the Department of Veterans Affairs community-based outpatient clinic in Statesboro, Georgia, the Ray Hendrix Department of Veterans Affairs Clinic.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Isakson amendment at the desk be agreed to; that the bill, as amended, be considered read a third time and passed; that the title amendment at the desk be agreed to; and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 4063) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. NAME OF DEPARTMENT OF VETERANS AFFAIRS COMMUNITY-BASED OUTPATIENT CLINIC, STATESBORO, GEORGIA.

The Department of Veterans Affairs community-based outpatient clinic in Statesboro, Georgia, shall after the date of the enactment of this Act be known and designated as the "Ray Hendrix Department of Veterans Affairs Clinic" or the "Ray Hendrix VA Clinic". Any reference to such clinic in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Ray Hendrix Department of Veterans Affairs Clinic.

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

The bill was read the third time.

The bill (H.R. 3946), as amended, was passed.

The amendment (No. 4064) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: "An Act to name the Department of Veterans Affairs community-based outpatient clinic in Statesboro, Georgia, the Ray Hendrix Department of Veterans Affairs Clinic."

NATIONAL PRINCIPALS MONTH

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. Res. 674 and the Senate proceed to its immediate consideration.

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

The legislative clerk read as follows:

A resolution (S. Res. 674) recognizing the month of October 2018 as "National Principals Month."

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 674) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of October 11, 2018, under "Submitted Resolutions.")

HONORING THE 25TH ANNIVERSARY OF THE NATIONAL GUARD YOUTH CHALLENGE PROGRAM

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Armed Services Committee be discharged from further consideration of S. Res. 424 and the Senate proceed to its immediate consideration.

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

The bill clerk read as follows:

A resolution (S. Res. 424) honoring the 25th anniversary of the National Guard Youth Challenge Program.

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I further ask unanimous consent that the resolution be agreed to, that the Baldwin amendment to the preamble be considered and agreed to, that the preamble, as amended, be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 424) was agreed to.

The amendment (No. 4065) was agreed to, as follows:

(Purpose: To amend the preamble)

In the seventh whereas clause of the preamble, strike "10,000" and insert "11,000".

In the eighth whereas clause of the preamble, strike "40" and insert "39".

In the ninth whereas clause of the preamble, strike "160,000" and insert "165,000".

In the tenth whereas clause of the preamble, strike "110,000" and insert "116,000".

The preamble, as amended, was agreed to.

The Resolution, with its preamble, as amended as follows:

S. RES. 424

Whereas the National Guard Youth Challenge Program (referred to in this preamble as the "Youth Challenge Program") is celebrating 25 years of providing successful and free alternative education and structured discipline to at-risk youth between the ages of 16 and 18;

Whereas the Youth Challenge Program was born from the visionary concept of using a "whole person" intervention model to combat the effects of gangs, violence, high rates of school dropout, and drug abuse on a generation of youth;

Whereas the Youth Challenge Program is a federally and State-funded program that offers a unique opportunity for at-risk youth to change course at a critical time in life;

Whereas the multiphased Youth Challenge Program uses quasi-military discipline and training, coupled with educational instruction, learning, and mentorship, to promote the character development and resilience of at-risk youth;

Whereas one phase of the Youth Challenge Program is a 5-month residential program that focuses on the following 8 core components: life-coping skills, leadership and followership, service to community, job skills, academic excellence, responsible citizenship, health and hygiene, and physical fitness;

Whereas another phase of the Youth Challenge Program is a 12-month mentoring

phase that builds on the 8 core components to help shape youth into productive citizens ready for societal success;

Whereas the Youth Challenge Program offers more than 11,000 cadets annually an opportunity to succeed outside of a traditional high school environment;

Whereas there are currently 39 Youth Challenge programs operating in 28 States, Puerto Rico, and the District of Columbia;

Whereas more than 165,000 cadets have graduated from the Youth Challenge Program;

Whereas more than 116,000 academic credentials have been awarded under the Youth Challenge Program; and

Whereas graduates of the Youth Challenge Program have improved physically and mentally and are poised to become assets to the communities of the graduates and to the United States: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that the National Guard Youth Challenge Program has been successfully helping at-risk youth for 25 years;

(2) commends the accomplishments of all of the graduates of the National Guard Youth Challenge Program; and

(3) reaffirms the commitment of the Senate to support—

(A) the National Guard Youth Challenge Program; and

(B) the critical mission of the National Guard Youth Challenge Program to help and develop the character of at-risk youth in the United States.

75TH ANNIVERSARY OF WORLD WAR II COMMEMORATION ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3661, introduced earlier today.

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

The bill clerk read as follows:

A bill (S. 3661) to provide for a program of the Department of Defense to commemorate the 75th anniversary of World War II.

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

Mr. MCCONNELL. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 3661) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3661

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 "75th Anniversary of World War II Commemoration Act".

SEC. 2. PROGRAM TO COMMEMORATE 75TH ANNIVERSARY OF WORLD WAR II.

(a) **COMMEMORATIVE PROGRAM AUTHORIZED.**—The Secretary of Defense shall conduct a program to commemorate the 75th anniversary of World War II. In conducting the commemorative program, the Secretary shall support and facilitate other programs and activities of the Federal Government, State and local governments, and not-for-profit organizations in commemoration of the 75th anniversary of World War II. The

Secretary shall conduct the commemorative program in accordance with applicable Department of Defense policy and using resources available to the Secretary, including amounts in the Fund under subsection (d).

(b) **COMMEMORATIVE ACTIVITIES AND OBJECTIVES.**—The commemorative program may include activities and ceremonies to achieve the following objectives:

(1) To thank and honor veterans of World War II, including personnel who were held as prisoners of war or listed as missing in action, for their service and sacrifice on behalf of the United States and to thank and honor the families of these veterans.

(2) To educate the public about the history of World War II and highlight the service of the Armed Forces during World War II and the contributions of Federal agencies and governmental and nongovernmental organizations that served with, or in support of, the Armed Forces.

(3) To pay tribute to the contributions made on the home front by the people of the United States during World War II.

(4) To recognize the contributions and sacrifices made by the allies of the United States during World War II.

(5) To remember the Holocaust, the annihilation of 6,000,000 Jews by the Nazi regime, and to pay tribute to the Allied troops who liberated Nazi concentration camps during World War II.

(c) **NAMES AND SYMBOLS.**—The Secretary of Defense shall have the sole and exclusive right to use the name "The United States of America 75th Anniversary of World War II Commemoration", and such seal, emblems, and badges incorporating such name as the Secretary may lawfully adopt. Nothing in this section may be construed to supersede rights that are established or vested before the date of the enactment of this Act.

(d) **COMMEMORATIVE FUND.**—

(1) **ESTABLISHMENT AND ADMINISTRATION.**—Upon the Secretary establishing the commemorative program under subsection (a), the Secretary of the Treasury shall establish in the Treasury of the United States an account to be known as the "Department of Defense World War II Commemoration Fund" (in this section referred to as the "Fund"). The Fund shall be administered by the Secretary of Defense.

(2) **USE OF FUND.**—The Secretary of Defense shall use the assets of the Fund only for the purpose of conducting the commemorative program and providing grants to State and local governments and not-for-profit organizations for commemorative activities, and shall prescribe such regulations regarding the use of the Fund as the Secretary considers to be necessary.

(3) **DEPOSITS.**—The following shall be deposited into the Fund:

(A) Amounts appropriated to the Fund.

(B) Proceeds derived from the Secretary's use of the exclusive rights described in subsection (c).

(C) Donations made in support of the commemorative program by private and corporate donors.

(D) Funds transferred to the Fund by the Secretary from funds appropriated for fiscal year 2019 and subsequent years for the Department of Defense.

(4) **AVAILABILITY.**—Subject to subsection (g)(2), amounts deposited under paragraph (3) shall constitute the assets of the Fund and remain available until expended.

(5) **BUDGET REQUEST.**—The Secretary of Defense may establish a separate budget line for the commemorative program. In the budget justification materials submitted by the Secretary in support of the budget of the President for any fiscal year for which the Secretary establishes the separate budget line, the Secretary shall—

(A) identify and explain any amounts expended for the commemorative program in the fiscal year preceding the budget request;

(B) identify and explain the amounts being requested to support the commemorative program for the fiscal year of the budget request; and

(C) present a summary of the fiscal status of the Fund.

(e) ACCEPTANCE OF VOLUNTARY SERVICES.—

(1) AUTHORITY TO ACCEPT SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Secretary of Defense may accept from any person voluntary services to be provided in furtherance of the commemorative program. The Secretary of Defense shall prohibit the solicitation of any voluntary services if the nature or circumstances of such solicitation would compromise the integrity or the appearance of integrity of any program of the Department of Defense or of any individual involved in the program.

(2) REIMBURSEMENT OF INCIDENTAL EXPENSES.—The Secretary may provide for reimbursement of incidental expenses incurred by a person providing voluntary services under this subsection. The Secretary shall determine which expenses are eligible for reimbursement under this paragraph.

(f) CONSULTATION WITH DIRECTOR OF THE UNITED STATES HOLOCAUST MEMORIAL MUSEUM.—In designing the commemorative program conducted under this section, the Secretary of Defense shall consult with the Director of the United States Holocaust Memorial Museum.

(g) FINAL REPORT.—

(1) REPORT REQUIRED.—Not later than 60 days after the end of the commemorative program established by the Secretary of Defense under subsection (a), the Secretary shall submit to Congress a report containing an accounting of—

(A) all of the funds deposited into and expended from the Fund;

(B) any other funds expended under this section; and

(C) any unobligated funds remaining in the Fund.

(2) TREATMENT OF UNOBLIGATED FUNDS.—Unobligated amounts remaining in the Fund as of the end of the commemorative period shall be held in the Fund until transferred by law.

(h) LIMITATION ON EXPENDITURES.—Total expenditures from the Fund, using amounts appropriated to the Department of Defense, may not exceed \$5,000,000 for fiscal year 2019 or for any subsequent fiscal year to carry out the commemorative program.

(i) SUNSET.—

(1) COMMEMORATIVE PROGRAM.—The commemorative program shall terminate on December 31, 2021.

(2) FUND.—The Fund shall terminate 60 days after the termination of the commemorative program.

NICARAGUAN INVESTMENT CONDITIONALITY ACT (NICA) OF 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of H.R. 1918 and the Senate proceed to its immediate consideration.

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

The legislative clerk read as follows:

A bill (H.R. 1918) to oppose loans at international financial institutions for the Government of Nicaragua unless the Government of Nicaragua is taking effective steps to hold free, fair, and transparent elections, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. McCONNELL. I ask unanimous consent that the Menendez substitute amendment at the desk be agreed to and that the bill, as amended, be read a third time.

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

The amendment (No. 4066) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Nicaragua Human Rights and Anticorruption Act of 2018”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Sense of Congress on advancing a negotiated solution to Nicaragua’s crisis.

Sec. 3. Statement of policy.

Sec. 4. Restrictions on international financial institutions relating to Nicaragua.

Sec. 5. Imposition of targeted sanctions with respect to Nicaragua.

Sec. 6. Annual certification and waiver.

Sec. 7. Report on human rights violations and corruption in Nicaragua.

Sec. 8. Civil society engagement strategy.

Sec. 9. Reform of Western Hemisphere Drug Policy Commission.

Sec. 10. Termination.

Sec. 11. Definitions.

SEC. 2. SENSE OF CONGRESS ON ADVANCING A NEGOTIATED SOLUTION TO NICARAGUA’S CRISIS.

It is the sense of Congress that—

(1) credible negotiations between the Government of Nicaragua and representatives of Nicaragua’s civil society, student movement, private sector, and political opposition, mediated by the Catholic Church in Nicaragua, represent the best opportunity to reach a peaceful solution to the current political crisis that includes—

(A) a commitment to hold early elections that meet democratic standards and permit credible international electoral observation;

(B) the cessation of the violence perpetrated against civilians by the National Police of Nicaragua and by armed groups supported by the Government of Nicaragua; and

(C) independent investigations into the killings of protesters; and

(2) negotiations between the Government of Nicaragua and representatives of Nicaragua’s civil society, student movement, private sector, and political opposition, mediated by the Catholic Church in Nicaragua, have not resulted in an agreement as of the date of the enactment of this Act because the Government of Nicaragua has failed to credibly participate in the process.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States to support—

(1) the rule of law and an independent judiciary and electoral council in Nicaragua;

(2) democratic governance in Nicaragua;

(3) free and fair elections overseen by credible domestic and international observers in Nicaragua; and

(4) anti-corruption and transparency efforts in Nicaragua.

SEC. 4. RESTRICTIONS ON INTERNATIONAL FINANCIAL INSTITUTIONS RELATING TO NICARAGUA.

(a) RESTRICTIONS.—The Secretary of the Treasury shall—

(1) instruct the United States Executive Director at each international financial institution of the World Bank Group to use the voice, vote, and influence of the United States to oppose the extension by the International Finance Corporation of any loan or financial or technical assistance to the Government of Nicaragua for a project in Nicaragua;

(2) instruct the United States Executive Director of the Inter-American Development Bank to use the voice, vote, and influence of the United States to oppose the extension by the Bank of any loan or financial or technical assistance to the Government of Nicaragua for a project in Nicaragua; and

(3) instruct the United States Executive Director of each other international financial institution, including the International Monetary Fund, to work with other key donor countries to develop a coherent policy approach to future engagements with and lending to the Government of Nicaragua, in a manner that will advance human rights, including the full restoration of the rights guaranteed to the people of Nicaragua through the commitments made by the Government of Nicaragua as a signatory of the International Covenant on Civil and Political Rights.

(b) EXCEPTIONS FOR BASIC HUMAN NEEDS AND DEMOCRACY PROMOTION.—The restrictions under paragraphs (1) and (2) of subsection (a) shall not apply with respect to any loan or financial or technical assistance provided to address basic human needs or to promote democracy in Nicaragua.

(c) BRIEFING BY THE SECRETARY OF THE TREASURY.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of the Treasury shall brief the appropriate congressional committees on the effectiveness of international financial institutions in enforcing applicable program safeguards in Nicaragua.

SEC. 5. IMPOSITION OF TARGETED SANCTIONS WITH RESPECT TO NICARAGUA.

(a) IN GENERAL.—The President shall impose the sanctions described in subsection (c) with respect to any foreign person, including any current or former official of the Government of Nicaragua or any person acting on behalf of that Government, that the President determines—

(1) to be responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, or to have knowingly participated in, directly or indirectly, any activity described in subsection (b);

(2) to be a leader of—

(A) an entity that has, or whose members have, engaged in any activity described in subsection (b); or

(B) an entity whose property and interests in property are blocked under subsection (c)(1)(A) as a result of activities related to the tenure of the leader;

(3) to have knowingly materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of—

(A) an activity described in subsection (b); or

(B) a person whose property and interests in property are blocked under subsection (c)(1)(A); or

(4) to be owned or controlled by, or to have knowingly acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked under subsection (c)(1)(A).

(b) ACTIVITIES DESCRIBED.—An activity described in this subsection is any of the following in or in relation to Nicaragua on or after April 18, 2018:

(1) Significant acts of violence or conduct that constitutes a serious abuse or violation of human rights against persons associated

with the protests in Nicaragua that began on April 18, 2018.

(2) Significant actions or policies that undermine democratic processes or institutions.

(3) Acts of significant corruption by or on behalf of the Government of Nicaragua or a current or former official of the Government of Nicaragua, including—

(A) the expropriation of private or public assets for personal gain or political purposes;

(B) corruption related to government contracts;

(C) bribery; or

(D) the facilitation or transfer of the proceeds of corruption.

(4) The arrest or prosecution of a person, including an individual or media outlet disseminating information to the public, primarily because of the legitimate exercise by such person of the freedom of speech, assembly, or the press.

(C) SANCTIONS DESCRIBED.—

(1) IN GENERAL.—The sanctions described in this subsection are the following:

(A) ASSET BLOCKING.—The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a person determined by the President to be subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.—In the case of an alien determined by the President to be subject to subsection (a), denial of a visa to, and exclusion from the United States of, the alien, and revocation in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of any visa or other documentation of the alien.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of a measure imposed pursuant to paragraph (1)(A) or any regulation, license, or order issued to carry out paragraph (1)(A) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—The requirement to block and prohibit all transactions in all property and interests in property under paragraph (1)(A) shall not include the authority to impose sanctions on the importation of goods.

(4) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under paragraph (1)(B) shall not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(d) IMPLEMENTATION; REGULATORY AUTHORITY.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) REGULATORY AUTHORITY.—The President shall issue such regulations, licenses, and orders as are necessary to carry out this section.

SEC. 6. ANNUAL CERTIFICATION AND WAIVER.

(a) CERTIFICATION.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit to the appropriate congressional committees a report certifying whether the Government of Nicaragua is taking effective steps—

(1) to strengthen the rule of law and democratic governance, including the independence of the judicial system and electoral council;

(2) to combat corruption, including by investigating and prosecuting cases of public corruption;

(3) to protect civil and political rights, including the rights of freedom of the press, speech, and association, for all people of Nicaragua, including political opposition parties, journalists, trade unionists, human rights defenders, indigenous peoples, and other civil society activists;

(4) to investigate and hold accountable officials of the Government of Nicaragua and other persons responsible for the killings of individuals associated with the protests in Nicaragua that began on April 18, 2018; and

(5) to hold free and fair elections overseen by credible domestic and international observers

(b) WAIVER.—

(1) TEMPORARY GENERAL WAIVER.—If the Secretary certifies to the appropriate congressional committees under subsection (a) that the Government of Nicaragua is taking effective steps as described in that subsection, the President may waive the application of the restrictions under section 4 and sanctions under section 5 for a period of not more than one year beginning on the date of the certification.

(2) NATIONAL INTEREST WAIVER.—The President may waive the application of the restrictions under section 4 and sanctions under section 5 if the President—

(A) determines that such a waiver is in the national interest of the United States; and

(B) submits to the appropriate congressional committees a notice of and justification for the waiver.

(3) SENSE OF CONGRESS.—It is the sense of Congress that the President should exercise the waiver authority provided under paragraph (1) if the Secretary of State certifies under subsection (a) that the Government of Nicaragua is taking effective steps as described in that subsection.

(c) CONSULTATION.—In preparing a certification required by subsection (a), the Secretary shall consult with the appropriate congressional committees.

(d) ANNUAL BRIEFING.—The Secretary shall annually brief the appropriate congressional committees on whether the Government of Nicaragua is taking effective steps as described in subsection (a).

SEC. 7. REPORT ON HUMAN RIGHTS VIOLATIONS AND CORRUPTION IN NICARAGUA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, acting through the Assistant Secretary of State for Intelligence and Research, and in coordination with the Secretary of the Treasury and the Director of National Intelligence, shall submit to the appropriate congressional committees a report on—

(1) the involvement of senior officials of the Government of Nicaragua, including members of the Supreme Electoral Council, the National Assembly, and the judicial system, in human rights violations, acts of significant corruption, and money laundering; and

(2) persons that transfer, or facilitate the transfer of, goods or technologies for use in or with respect to Nicaragua, that are used by the Government of Nicaragua to commit

serious human rights violations against the people of Nicaragua.

(b) FORM.—The report required by subsection (a) may be classified.

SEC. 8. CIVIL SOCIETY ENGAGEMENT STRATEGY.

Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall brief the appropriate congressional committees on a strategy—

(1) for engaging relevant elements of civil society in Nicaragua, including independent media, human rights, and anti-corruption organizations, to strengthen rule of law and increase accountability for human rights abuses and corruption in Nicaragua; and

(2) setting forth measures to support the protection of human rights and anti-corruption advocates in Nicaragua.

SEC. 9. REFORM OF WESTERN HEMISPHERE DRUG POLICY COMMISSION.

Section 603(f)(1) of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323; 130 Stat. 1938) is amended by striking “Not later than 60 days after the date of the enactment of this Act, the Commission shall hold an initial meeting to develop and implement” and inserting “At the initial meeting of the Commission, the Commission shall develop and implement”.

SEC. 10. TERMINATION.

The provisions of this Act (other than section 9) shall terminate on December 31, 2023.

SEC. 11. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Appropriations of the House of Representatives.

(2) GOOD.—The term “good” means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(3) PERSON.—The term “person” means an individual or entity.

(4) UNITED STATES PERSON.—The term “United States person” means any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including a foreign branch of such an entity), or any person in the United States.

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

The bill was read the third time.

Mr. MCCONNELL. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. Is there further debate?

If not, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 1918), as amended, was passed.

Mr. MCCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, the postcloture

time on the Kelley nomination expire at 12:15 p.m. on Wednesday, November 28; further, that if the nomination is confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

ORDERS FOR WEDNESDAY,
NOVEMBER 28, 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, November 28; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Kelley nomination, with the time until 11 a.m. equally divided between the two leaders or their designees; finally, that the Senate recess from 11 a.m. until noon tomorrow.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order following the remarks of Senator BOOKER.

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

The Senator from New Jersey.

NOMINATION OF THOMAS FARR

Mr. BOOKER. Mr. President, I rise to speak about the nomination of Thomas Farr to serve as a district judge for the Eastern District of the great State of North Carolina.

Over the past year, I have joined many of my colleagues in the Senate, my esteemed colleagues in the House, and really people from all across the country who have been speaking out about Mr. Farr's troubling record.

We see many district court judges come before the U.S. Senate, but I think none has triggered this kind of tumult, this kind of frustration, and this kind of outcry.

We have seen an outpouring of advocacy and activism that is now coming around this nomination, but this nomination—and the energy and advocacy of Americans speaking out against it—is, frankly, not about politics. It is not about partisanship. It is about something deeper than just left or right. This is about right or wrong.

We are a nation of people who I believe have so much more in common than we have apart. The lines that divide us are nowhere near as strong as the ties that bind us. What binds us?

We are bound together not because of many of the more obvious historically held things that hold people together. It is not our language or our religion or our race that holds this Nation and her people together. We are bound to one another because of the ideals we share. We say them in our anthem. We say them in our salute and in our pledge. We know we are a nation of principles and ideals.

Some of the most fundamental of those principles, the most sacrosanct of those ideals we share are about and surrounding that right to vote; that every American has the right to vote. When you enter that ballot box, whether you are the richest person in this country or a working-class person from New Jersey, you are equal in that ballot box. You all have that right to vote. That is what makes this a great republic. That is what makes us a great democracy; that your vote will be equally counted and treated equally under the law.

Throughout our history, greater Americans have fought to secure these fundamental rights for us. From Seneca Falls to the Edmund Pettus Bridge, Americans have stood and fought and marched and sweated and bled for this right to vote, for suffrage, for universal voting rights.

There have been debates on this floor advancing legislation that has secured those rights amongst men and women, further advancing that truth about our country that we will be a democracy where every vote will be counted, where every person will be treated equally in their right to vote.

Americans from all backgrounds—multiracial, multiethnic coalitions—struggled together for these rights and fought together to make them real, but this nomination now stands in direct contrast to that legacy of common sacrifice and common struggle, of that legacy to push for equality.

The facts in this nomination are clear, and they again have nothing to do with partisanship but do indicate a very clear pattern of time and again that Mr. Farr has worked to advance a very specific, very anti-democratic agenda, one that is aimed at turning back the clock, in eroding very critical voting rights.

We know for a fact that in 1984, Mr. Farr managed the so-called ballot security program for the reelection campaign of Senator Jesse Helms that targeted and attempted to suppress the votes of Black North Carolinians.

We know that in 1990, Mr. Farr participated in a so-called ballot security meeting just days before the Helms campaign infamously and notoriously sent tens of thousands of postcards targeting Black North Carolinian votes, suggesting that they were not only not eligible to vote but threatened criminal prosecution if they did. This is not left or right. Republicans and Democrats criticized, decried that method of voter suppression.

Mr. Farr has repeatedly claimed that he had no knowledge of the mailing

until he was contacted after the fact for legal advice, but I am deeply troubled that despite being given multiple opportunities, Mr. Farr has failed to be completely honest with the Senate about his record.

When Senator FEINSTEIN from California asked Mr. Farr: "Did you ever participate in any meetings in which the postcards were discussed before they were sent," he replied unequivocally and simply: "No." But according to a breaking story published by the Washington Post within the last hour, we know that "during the meeting, participants also reviewed the Helms campaign's 1984 ballot security effort Farr had coordinated 'with an eye toward the activities that should be undertaken in 1990.'"

The evidence that just came out from the Washington Post again casts a shadow over the truthfulness and the honesty of Mr. Farr about his participation in that meeting and the voter suppression efforts.

Again, Mr. Farr misrepresented the context of this meeting in his responses to me both in December of 2017 and January of this year.

Finally, we also know that in 2016, Mr. Farr lost one of his biggest cases, defending North Carolina's notorious and discriminatory voter ID law—a law that he helped write because the court found it would target Black North Carolinians "with almost surgical precision"—target those North Carolinians to be disenfranchised from their right to vote.

Time and again, Mr. Farr has worked to advance an agenda aimed at turning back the clock on our democratic advancements, on our common ideals, the commonsense fairness that in this country every vote counts, every person has the right to vote. Time and again, in this process, Mr. Farr has offered misleading and incomplete testimony regarding his record and his work.

This is a body that has shown, in its history, the capability to work together in a bipartisan way to protect the right to vote. This body is the one that passed one of the most important pieces of legislation in our history, the Voting Rights Act of 1965, but the weight of history isn't just on this body in this moment because it still weighs heavily on so many voters in North Carolina who remember receiving one of those postcards from Jesse Helms in 1984, at the direction of Mr. Farr and others, and who may have received another postcard from the Helms campaign in 1990, threatening Federal prosecution if they exercised their right to vote.

It is those people in the Eastern District right now who feel the weight, the pushback on historical advancements, who are watching this body now. Those voters who got those postcards didn't get them because the Helms campaign or Mr. Farr saw value in their vote; they received them because the Helms campaign and Mr. Farr were trying to

suppress it. That is anti-democratic. That is an affront to our history.

Confirming the person responsible for managing and defending those tactics, who was involved in them, who has misrepresented that fact pattern to this body, wouldn't just be a disservice to North Carolinians, wouldn't just be a disservice to those Americans who received those postcards, it would be a betrayal of the work of generations of Americans from all backgrounds, all races, all religions, a multitude of parties—all of those Americans who joined in that common pursuit in this country to stand up for the right to vote.

This is not right or left. This is about whether we move forward or back, and forward we have moved: countless generations, people from different backgrounds standing together, working together, sweating together, bleeding together, marching together, marching feet in the suffrage movement, march-

ing feet in the voting rights movement, marching feet across this country, from protestors like Alice Paul marching in front of the White House to protestors marching through the South, through Alabama, across the Edmund Pettus Bridge, every generation marching forward.

This nomination now represents a moment in history, not right or left, but will we continue to march forward? If this body confirms Mr. Farr, it will not be forward-marching. It will be a step backward in the wrong direction, against the historical tide and currents that have gotten us to this wonderful moment together.

Let us again stand together in a bipartisan way and say: We will not be turned around; that we will not go backward; that we believe, when it comes to the sacrosanct rights of the Nation, that we will always fight to make sure the right to vote is secure,

and we have the truth of this country and will go marching on.

I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 6:51 p.m., adjourned until Wednesday, November 28, 2018, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate November 27, 2018:

DEPARTMENT OF AGRICULTURE

STEPHEN ALEXANDER VADEN, OF TENNESSEE, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF AGRICULTURE.

EXTENSIONS OF REMARKS

TRIBUTE TO SHARON SHULTZE

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mrs. DAVIS of California. Mr. Speaker, I rise today to mourn the passing of a truly dedicated public servant, Sharon Shultze. Sharon was a tireless advocate for social justice and civility, a loyal senior Congressional aide, and generous mentor. Sharon dedicated her life to serving the poor, the downtrodden, and the most vulnerable. She will be remembered by all those who knew her for her selflessness and love. Sharon was born and raised in Lincoln, Nebraska and moved to San Diego after getting married. She was instrumental in creating a ground breaking program at the University of San Diego's Law School, the Mira Mesa Mediation Center, which helped people from diverse backgrounds resolve conflict peacefully and civilly. The center later developed into the National Conflict Resolution Center. Sharon worked for Bob Filner throughout his entire political career, from the San Diego School Board to San Diego City Council to the United States Congress. Sharon passionately served the people of San Diego for over three decades, taking on various responsibilities throughout Filner's different elected offices. One of her favorite projects while working for Congressman Filner was helping him chose the district winner of the Congressional Art Competition wherein high school students from every congressional district in the country compete for an opportunity to display their artwork in the halls of Congress.

Her favorite role, and the one she found most rewarding, was that of advocate. Sharon took the most joy out of writing legislation that promoted veterans and San Diego residents. Her contributions to the veteran community include helping to draft and pass the Post-9/11 Veterans Education Assistance Act of 2008 which provides full, four-year tuition to military veterans attending public universities across the country who enlisted after September 11, 2001. Perhaps the achievement Sharon was most proud of in the veteran community was her contribution toward the passage of legislation in support of Filipino veterans and Merchant Marines who served the United States during World War II receiving full veteran benefits, which they had been previously denied. Sharon was an amazing, accomplished woman. Her strong worth ethic and professionalism made her a role model and devoted mentor to the young people who looked to her for guidance both in San Diego and in Washington, DC. My office and I were on the receiving end of some of her mentorship. Soon after I was elected to Congress, Sharon was the first to offer guidance and support. Her best quality, noted by many of her friends and family, was that Sharon was a gifted listener. She was there for whoever needed her help, without regard for her time and energy. Sharon bestowed unconditional positive support,

kindness, compassion, and empathy to those around her, assuring them that they were loved and valued. She shared her ideas and common sense with others, always making sure to keep people's best interest in mind. She never gave up on making a difference in the world.

Our thoughts go out to her partner of nearly 30 years, Doug Duffield; her three children, Blair, David, and Carol; and Natalie and Zachary, her two grandchildren, who made her heart smile.

IN MEMORY OF MS. KIMBERLY "KIM" A. PORTER

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. BISHOP of Georgia. Mr. Speaker, it is with a heavy heart and solemn remembrance that I rise today to pay tribute to a beloved entrepreneur and dear friend of longstanding, Kim Porter. Sadly, Kim departed to her eternal reward on Thursday, November 15, 2018. On Saturday, November 24, 2018, friends and family gathered to celebrate the wonderful life of this exceptional woman at a homegoing service held at Cascade Hills Church in Columbus, Georgia.

Kimberly Antwinette Porter was born on December 15, 1970, in Columbus, Georgia to the union of Jake and Sarah Goodwin Porter. From the time she was eight years old, she was reared by her mother, as a single parent, and her grandmother, Ms. Lila Star, the owner of the renowned Royal Cafe in Columbus. As a young teenager, Kim attended the Mabie Bailey School of Modeling in Columbus, Georgia, and in 1988, graduated from Columbus High School where she was a musician in the marching band and Homecoming Queen.

At the age of 17, Kim won the Fresh Faces Model of the South Pageant in Hilton Head, South Carolina. Following her high school graduation, she moved to New York to embark on her journey to become a model, where she met Marsha Irving who became one of her closest friends. Her stunning looks and poised presence made her a contender for several of New York's top modeling agencies. Kim ultimately signed with the Wilhelmina Agency and garnered worldwide recognition, gracing the runways and covers for numerous global brands and premiere fashion magazines. She also worked alongside such legendary models as Kimora Lee Simmons, Veronica Webb, and Naomi Campbell.

In addition to her stellar career on the runway, Kim made a name for herself in the entertainment industry. She was the visionary behind Uptown Records, providing creative optics and a visual narrative that propelled the label and connected the culture of the South with New York City and the East Coast. As an actress, Kim appeared in numerous television series and films including *Law & Order*, *The*

Brothers, *The Cosby Show*, and *Mama, I Want to Sing*. With her cherished "best friends", Eboni Elektra and Nicole Johnson, she co-founded Three Brown Girls, an Atlanta based marketing firm that promoted celebrity events and emerging artists.

William Shakespeare wrote, "All the world's a stage, and all the men and women merely players: they have their exits and their entrances; and one man in his time plays many parts. . . ." Kim elegantly played many parts and graciously used her influence to inspire others, leaving a lasting impact.

Maya Angelou once said, "A great soul serves everyone all the time. A great soul never dies." Kim was one such great soul, who served humanity in a very special way. Each day she graced the people around her with an enthusiastic sincerity of presence. Her legacy on this earth extends beyond herself to those whom she inspired and supported, and for it, she will always be remembered.

Kimberly is survived by her beautiful children, Quincy, Christian, Jessie, and D'Lila; her father, Jake Porter; her grandmother, Ms. Lila Star; aunts, uncles, and a host of other family and friends including R&B singer, Albert Brown (Al B. Sure!) and music mogul, Sean John Combs (P-Diddy), all of whom will miss her deeply.

On a personal note, I have known and been associated with Kim and her extended family for more than 40 years. When she became Homecoming Queen at Columbus High School, her mother asked me to escort her during the half time activities when her father was unable to attend. Kim was a special young woman who had a sweet and gentle spirit and an infectious personality that endeared her to many. She gave others strength by always seeing and focusing on the positive side of life. I can say without reservation that Kim was one of the most sincere and warm-hearted people I have known.

Mr. Speaker, I ask my colleagues in the House of Representatives to join my wife, Vivian, and me, along with the constituents of Georgia's Second Congressional District and people all across America and the world, in paying tribute to Ms. Kimberly Antwinette Porter for the inspiring life that she led. Moreover, we extend our deepest sympathies to her family, friends, and loved ones during this difficult time. We pray that we will all be consoled and comforted by an abiding faith and the Holy Spirit in the days, weeks, and months ahead.

HONORING JODY FLEDDERMAN

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. MESSER. Mr. Speaker, I rise today, on behalf of the entire 6th Congressional District of Indiana, to recognize Jody Fledderman for his contribution to our state and community.

Jody is a loyal friend and has been a wise adviser during my entire tenure in Congress.

• 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.

As a member of the 6th District Manufacturing Advisory Committee, Jody regularly met with my team to discuss emerging manufacturing issues that are impacting Indiana. He is also a community leader and employer at Batesville Tool and Die in Ripley County. Our state is better off today because of Jody's extraordinary leadership and service.

I also want to thank Jody for his support of my work in Congress. He is a good man and one of my favorite people from the 6th District. I wish him continued success in all that God has planned for him and his family.

HONORING THE LIFE OF EVELYNN
BELLE TURBEVILLE WARE

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mrs. COMSTOCK. Mr. Speaker, I rise today with a heavy heart to honor the life of Mrs. Evelyn Belle Turbeville Ware. As a constituent of Hillsboro, Virginia, Belle devoted her life to her family and public service. She was dedicated to her beloved husband, John, and together they raised four children. Belle is survived by daughter: Vicki Ware Albert and her husband Charles; daughter Paige Ware Petro and her husband Mark; son John Ware; son Mark Ware and his wife Amie; 10 grandchildren: Jeremy Barry, Lindsay Albert, Kendall Albert, Morgan Petro, Chris Petro, Jordan Ware, Jackson Ware, Evan Ware, Matthew Ware, and Nathan Ware; and 2 great grandchildren: Owen Barry and Kyle Barry.

Belle was a long-time resident of Hillsboro, Virginia having moved there with her parents and sister during the end of World War II. After they married, Belle and John moved to a tiny house in town where they lived while restoring a Victorian farmhouse they purchased in Hillsboro. Belle was one of the founding members of what is now the Short Hill Historical Society and helped save the Old Stone School from demolition. She served as an active member of this non-profit for 42 years and was most fond of the Christmas in Hillsboro Historic Homes Tour. Belle had a drive and a passion to support the people and causes she held dear.

Following in the footsteps of her mother who was the first female mayor in the Commonwealth of Virginia, she devoted her entire life to a career as a public servant who profoundly impacted our community. Belle served on the Hillsboro Town Council and for many years, she was the Town Treasurer, ultimately becoming Hillsboro's Vice Mayor. Belle was also a member of the Daughters of the American Revolution, and each year recognized an elementary school student at Hillsboro with the DAR award. Belle's heart was sincere in her service to the community, and her legacy serves as inspiration for others in public service.

Belle was enthusiastic about serving the Lord as member of the congregation of the Hillsboro United Methodist Church and the United Methodist Women's Group. Belle sang in the choir and was instrumental in many volunteer efforts through the church which included making apple butter, raising money

through a yard sale, helping prepare and serve the annual freewill offering holiday dinner, packaging and donating meals for local families in need, hosting the annual church picnic, and helping with a local food bank. Belle also built her life working at a medical practice for thirty years before retiring.

Mr. Speaker, I ask you to join me as we recognize the extraordinary life and legacy of Mrs. Evelyn Belle Turbeville Ware. The impact she has had on the Commonwealth of Virginia and to our country will never be forgotten, and I offer our deepest condolences to the Ware family.

CONGRATULATING THE EDINA
BOYS CROSS COUNTRY TEAM

HON. ERIK PAULSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. PAULSEN. Mr. Speaker, I rise today to congratulate the Edina Boys Cross Country running team for winning the High School state championship. After a long season, these runners ran through the finish line to bring Edina its first ever state title.

With runners in all third through seventh place finishes, Edina destroyed the competition. The team ended with only 88 points, 11 points less than the runner up.

Mr. Speaker, we all know that being a cross country runner takes strength, perseverance, endurance, commitment to training, and raw athletic talent.

Congrats.

HONORING FORMER STATE
SENATOR BEVERLY GARD

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. MESSER. Mr. Speaker, I rise today, on behalf of the entire 6th Congressional District of Indiana, to recognize former State Senator Beverly Gard for her contribution to our state.

For 24 years, Bev represented Hancock and Shelby counties with honor and integrity in the Indiana General Assembly. She established herself as a tenacious and effective leader in the Senate and always put the interests of her district first. It was an honor to serve with Bev during my time in the Indiana General Assembly.

On a personal note, Jennifer and I cherish our friendship with Bev. She has been a loyal friend and a wise adviser to me during my entire tenure in Congress. Both Jennifer and Bev are proud alums of the University of Tennessee and Bev was also among my earliest and most vocal supporters. I want to thank Bev for her friendship and support of my work in Congress. I wish her continued success in all that God has planned for her and her family.

SALUTING THE 2018 U.S. BORDER
PATROL NATIONAL PISTOL TEAM

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. CARTER of Texas. Mr. Speaker, I salute the 2018 United States Border Patrol National Pistol Team which swept six of eight team events at the 56th Annual National Police Shooting Championships in Albuquerque, NM. The following team members exemplify professionalism, marksmanship, and the esprit de corps found within the ranks of the United States Border Patrol:

National Program Manager—Assistant Chief Kenneth Malone

Program Support—Assistant Chief Kevin Orr
Team Captain—Watch Commander Arturo Velez

Supervisory Border Patrol Agent Shawn Becker

Supervisory Border Patrol Agent Brian Reilly
Border Patrol Agent Robert Vadasz (National Champion)

Border Patrol Agent Adam Kovatch

Border Patrol Agent Alaric Mason

Border Patrol Agent Ben Morrow

Border Patrol Agent Charles Rogers

Border Patrol Agent Andrew Signell

Border Patrol Agent Tony Simmons

Border Patrol Agent Brett Sullivan

Border Patrol Agent Jeremy David

Border Patrol Agent Joel De Leon III

Border Patrol Agent Dean Geiger

Border Patrol Agent Lilia Ferrer

Border Patrol Agent Andrew Moore

Border Patrol Agent Tracy Wong

Their success is nothing new as the USBP National Pistol Team has won more NPSC competitions than any other law enforcement agency and holds numerous team and individual national records set by past and present U.S. Border Patrol Agents. All USBP National Pistol Team members are law enforcement agents first and represent the USBP in competitions as a collateral assignment by earning their way onto the team.

The National Pistol Championships take place annually and include teams from the U.S. Armed Forces and Civilian Marksmanship Program clubs from across the nation. The Olympics of law enforcement-centric competitions, the Championships provide officers a program that promotes skill and competence with firearms at state, regional, and national levels.

I proudly commend the U.S. Border Patrol National Pistol Team for not only their work to keep our nation safe, but for their dedication and efforts on their own time which superbly represent the U.S. Border Patrol in prestigious firearms competitions. The Team showcases the very best in both law enforcement and the demanding world of precision marksmanship. I thank them for their service and I know they'll continue excelling in future firearms competitions.

HONORING MR. DENNIS
KACOYANIS

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mrs. COMSTOCK. Mr. Speaker, I rise today to recognize the tremendous work of my constituent Mr. Dennis Kacoyanis of Chantilly, Virginia. Mr. Kacoyanis plans to retire on January 3, 2019, after more than 40 years of federal service. His dedication and professionalism throughout his career have provided exceptional benefit to the people of the United States.

Mr. Kacoyanis spent the early portion of his federal career as an attorney at the Equal Employment Opportunity Commission enforcing employment laws prohibiting discrimination in the workplace. Since 1987, Mr. Kacoyanis has served as an attorney for the U.S. Consumer Product Safety Commission. Mr. Kacoyanis performed a number of duties to keep consumers safe, including ensuring that hazardous products were promptly recalled from the market and that companies immediately reported hazardous products to the Commission. He zealously advocated for the Commission's interests in federal court cases. He also worked hard to ensure the Commission met its responsibility to release information to the public—increasing transparency, accountability and trust in government.

In addition to his 32 years of work at the Commission, Mr. Kacoyanis previously served the American people at the U.S. Department of Justice in the Civil Rights Division, and at the U.S. Attorney's Office for the Eastern District of Virginia, Alexandria Division.

Mr. Speaker, I now ask that my colleagues join me in thanking Mr. Kacoyanis for the outstanding service he provided to the United States throughout his long-lasting career. I wish him all the best in his future endeavors.

HONORING MAYOR DAMON WELCH

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. MESSER. Mr. Speaker, I rise today, on behalf of the entire 6th Congressional District of Indiana, to recognize Mayor Damon Welch for his contribution to our state and the City of Madison.

Over the years, Damon has been a loyal friend and wise adviser to me. He has also served the City of Madison, as mayor, with honor and integrity. Damon has made improving the quality of life in the community his main priority for years. Several economic development initiatives, including being designated as a Stellar Community in 2017, have been the result of Damon's hard work and commitment to the historic City of Madison. Our state is better off today because of his extraordinary leadership and service.

On a personal note, Damon is a brother in Christ. I have truly appreciated his prayers and encouragement over the years. I wish him continued success in all that God has planned for him and his family.

RECOGNIZING KEVIN HOUGEN

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. COFFMAN. Mr. Speaker, I rise today to recognize the President and Chief Executive Officer of the Aurora Chamber of Commerce, Kevin Hougen. Recently the Denver Business Journal recognized Kevin with its 2018 Most Admired Chief Executive Officer honor. This prestigious award is given only to those with a proven record of innovation, who act as a standard-bearer for their organization, as a community role model, and exert exceptional leadership within their organization and the community. I am proud to see Kevin Hougen receive this award for his more than two decades of dedicated service to my hometown of Aurora, Colorado.

Kevin Hougen's leadership with the Aurora Chamber of Commerce began 22 years ago when he was first hired as its Vice President of Sales. Since 1999, Kevin Hougen has served as its President and Chief Executive Officer. Kevin's leadership and business acumen has played a key role in the tremendous growth and economic success the city of Aurora has experienced since then as it has grown to become the third largest city in the State of Colorado.

Kevin Hougen has led the Aurora Chamber of Commerce through difficult challenges such as the "Great Recession" and to new and exciting triumphs such as the agreement with Denver and Adams County on the development of the "Aerotropolis." Critically, his leadership has proved crucial to enhancing community support efforts for Buckley Air Force Base. I do not believe any base located in a major metropolitan area receives more consistent or stronger community support than does Buckley Air Force Base.

Kevin Hougen has also led the Chamber's efforts to make Aurora a better place to live and to do business. He has done so by facilitating support for the expansion and creation of new roadways and the light rail line that now serve the City of Aurora. He has also rallied the business community to become more involved with the local schools, which are so important to the long-term economic strength of the City of Aurora.

Mr. Speaker, my hometown city of Aurora would not be the driving force of innovation, development, and economic opportunity it is today without Kevin Hougen. I look forward to seeing his successes and those of the Aurora Chamber of Commerce continue well into the future.

RECOGNIZING THE MINNETONKA
GIRLS SOCCER TEAM

HON. ERIK PAULSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. PAULSEN. Mr. Speaker, I rise today to recognize the Minnetonka Girls Soccer Team on winning the Minnesota state high school championship. After narrowly the state championship game last year, the Skippers re-deemed themselves with a 1-0 victory over

Wayzata to finish the season and take home the state title. Minnetonka scored a goal in the first minute of play and held the lead for the remainder of the game.

Soccer requires teamwork, cohesiveness, agility and physical rigor. While the Skippers' girls mastered these skills to capture their third state title, it's also important to point out that these student athletes excel in other areas off the field. Keeping up with their studies and being involved in other community activities is also a hallmark of their success.

Congratulations to the players, coaches, parents and fans on being high school champs.

HONORING MR. ABDE-ALI EMADI
OF PENNSYLVANIA FOR ACHIEVING
THE RANK OF EAGLE SCOUT

HON. SCOTT PERRY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. PERRY. Mr. Speaker, I rise today to honor and congratulate my constituent, Abde-Ali Emadi, for his accomplishment in earning the rank of Eagle Scout.

The Eagle Scout designation is the highest advancement rank in Scouting, which only a small number of Boy Scouts earn. The rank is performance-based, and must meet high standards that have been well-maintained over the past century. To earn the rank of Eagle Scout, a Boy Scout is obligated to pass specific tests that are organized by myriad requirements and merit badges, as well as completing an Eagle Scout project to benefit the community.

Abde-Ali has been recognized as a valuable member of Troop 180, and has served in various leadership positions; i.e. Junior Assistant Scoutmaster and Senior Patrol Leader. His Eagle Scout Project was to clean and stain over 70 picnic tables at the New Kingstown Fire Company pavilion, in addition to building four ADA-compliant tables.

I've long appreciated the commitment of people who demonstrate hard work and devote themselves selflessly to serving our communities and fellow citizens. On behalf of Pennsylvania's Fourth Congressional District, I recognize and congratulate Abde-Ali Emadi on his significant accomplishment and community service. I wish him continued success and Godspeed in his future adventures.

HONORING J.R. AND CAROL
SHOWERS

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. MESSER. Mr. Speaker, I rise today, on behalf of the entire 6th Congressional District of Indiana, to recognize J.R. and Carol Showers for their contribution to our state and their community.

The Showers have made a positive and lasting impact in Shelbyville and embody exactly what "Hoosier hospitality" is meant to be. When J.R. served as County Chairman, we worked extensively together to support Republican candidates and principles. Our state is

better off today because of the Showers' extraordinary leadership and service in their community.

On a personal note, I have known J.R. and Carol for the past two decades. They hosted my first event as a state legislator in Shelby County. And, they have supported our efforts every step of the way since. J.R. and Carol are loyal friends and wise advisers. Jennifer and I cherish our friendship with the Showers and I will always be grateful for their support of my work in Congress. We wish them continued success in all that God has planned for their family.

ISIS IS RESURGING IN THE
PHILIPPINES

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. POE of Texas. Mr. Speaker, ISIS fighters are regrouping in the Philippines. It was only a year ago that Philippine forces, with help from the U.S. military, retook the city of Marawi after a bloody five-month siege. Reports now suggest that fresh ISIS foreign fighters have arrived in the area and are preparing to unleash a new wave of terror. America must be prepared to blunt their resurgence.

It should surprise no one, that after the fall of ISIS's so-called caliphate in Syria and Iraq, that the terror group would disperse its fighters and attempt to build a new caliphate somewhere else. Two decades of fighting jihadists has shown they are an adaptive and relentless foe. ISIS itself was defeated by U.S. forces in Iraq almost a decade ago but because of Obama's naïve withdrawal, was able to rally new recruits and exploit instability in the Middle East. But we have learned our lessons and will not stand by as ISIS attempts another revival.

We are in a long war with ISIS, al-Qaeda, and other extremists. From Mali to Mindanao, America has stood ready to confront jihadism much as we stood ready to counter communism around the globe during the Cold War. The Philippines is a strategic ally of the United States and we will not abandon our commitments. We must see to it that the Philippines have what they need to crush ISIS's attempted comeback and ensure its lasting defeat.

ISIS's attempts to regroup will not end in the Philippines. Our successes against ISIS remain fragile and, without continued vigilance, can be undone. Our allies must know that the U.S. is prepared to stand with them but also note that it is their fight as well. It is their security that is most threatened by ISIS's crusade of terror. We are in this fight together until the ideology that drives Islamic extremism relegated to history.

And that's just the way it is.

RECOGNIZING LIBBY GERMANO,
KENNA GIFFORD, AND NICOLE
SIMOS

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. COFFMAN. Mr. Speaker, I rise today to recognize Libby Germano, Kenna Gifford, and Nicole Simos for their hard work and dedication to the people of Colorado's Sixth District as interns in my Washington, D.C. office for the autumn of the 115th Congress, Second Session.

The work of these young professionals has been nothing short of exemplary. During their time in my office, Libby, Kenna, and Nicole served as tour guides, interacted with constituents, conducted legislative research and learned a great deal about the United States Congress. I know they all have especially bright futures ahead of them and I look forward to seeing them build their prospective careers.

All three of these impeccable interns have made plans to continue their educational careers throughout the United States. I am certain they will continue in their great success and I wish them all the best in their future endeavors. Mr. Speaker, it is an honor to recognize Libby Germano, Kenna Gifford, and Nicole Simos for their service this autumn.

HONORING MAYOR MIKE BETTICE

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. MESSER. Mr. Speaker, I rise today, on behalf of the entire 6th Congressional District of Indiana, to recognize Mayor Mike Bettice for his contribution to our state and the City of Batesville.

Throughout his career, Mike has served the City of Batesville with honor and integrity. As mayor, Mike has done an incredible job of engaging the Batesville community and working to ensure its success. Our state is better off today because of his leadership and service.

On a personal note, we are both proud alums of Wabash College. Mike is a loyal confidant and among my closest friends in politics. I want to thank him for his support of my work in Congress and wish Mike continued success in all that God has planned for him and his family.

RECOGNIZING THE 75TH ANNIVERSARY OF THE LEBANON VOLUNTEER FIRE DEPARTMENT

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. COURTNEY. Mr. Speaker, I rise today to celebrate the 75th anniversary of the Lebanon Volunteer Fire Department and to thank its dedicated members for their commitment to their community and the residents of eastern Connecticut.

The Lebanon Volunteer Fire Department was founded in September 1943 by 53 Lebanon residents without any equipment or station of their own. The first chief of the company, Clark W. Standish, obtained permission from the State Forestry Department to use their truck and equipment until Lebanon could procure their own. Since the department's inception, its volunteers have consistently served the Town of Lebanon demonstrating courage and compassion in times of crisis and distress for their friends, families, and neighbors. For decades Lebanon Volunteer Fire Department has also provided the same exceptional and brave service to surrounding towns and communities under mutual aid agreements. The department has grown and adapted to the changing needs of the Town while remaining an all-volunteer force, providing fire, EMS, and hazmat services for the protection of life, property, and the environment.

This growth and innovation by Lebanon Volunteer Fire Department has intensified in the wake of the post-9/11 world. As my colleagues know, the new Department of Homeland Security, which was created in the wake of the tragedy, established the Assistance to Firefighters Grant Program which has provided recurring grants to local departments all across the country. The grant process is an annual one and requires knowledge and expertise for departments big and small to access these funds for needed equipment and training. In Connecticut's Second District, the Lebanon Volunteer Fire Department has graciously hosted annual AFG seminars for communities all across the region. Given that this program is competitive, Lebanon's willingness to share updates on ways to successfully navigate the grant process speaks highly of their commitment to public safety for all.

Mr. Speaker, I ask my colleagues to please join me in honoring these dedicated public servants both living and deceased, whose dedication and heroism have made this auspicious occasion possible. All firefighters and EMTs make sacrifices of time and take significant personal risks for the protection of the communities they serve. We in eastern Connecticut are ever so fortunate and grateful to be protected by the courageous men and women of Lebanon Volunteer Fire Department.

HONORING MATTHEW BRITTAIN OF PENNSYLVANIA FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SCOTT PERRY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. PERRY. Mr. Speaker, I rise today to honor and congratulate my constituent, Matthew Brittain, for his accomplishment in earning the rank of Eagle Scout.

The Eagle Scout is the highest advancement rank in scouting; only a small number of Boy Scouts earn this auspicious title. The Eagle Scout is performance-based and has high standards that have been well-maintained over the past century. To earn the rank of Eagle Scout, a Boy Scout is obligated to pass specific tests that are organized by myriad requirements and merit badges, as well as completing an Eagle Scout project to benefit the community.

Matthew has been recognized as a valuable member of Troop 15, and has served in various leadership positions like Troop Guide and Senior Patrol Leader. His Eagle Scout project was to clean, repair, and refurbish an outdoor band shell for the picnic grove of the Salem UCC Church in Dover, Pennsylvania.

I have long appreciated the commitment of people who demonstrate hard work and selfless devotion to serving our communities and fellow citizens. On behalf of Pennsylvania's Fourth Congressional District, I recognize and congratulate Eagle Scout Matthew Brittain on his great accomplishment and community service. I wish Matthew continued success and Godspeed in his future adventures.

HONORING JEFF AND DANAE
SPONSEL

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. MESSER. Mr. Speaker, I rise today, on behalf of the entire 6th Congressional District of Indiana, to recognize Jeff and Danae Sponsel for their contribution to our state and country.

Over the years, Jeff and Danae have served the City of Shelbyville and Shelby County in a variety of roles with honor and distinction. Jeff is always quick with a joke, yet has a fiery passion for serving his fellow Hoosiers. He has spent years serving in various positions in the community, including on the City Council and as the Shelby County Election Deputy. Danae is a rock star and has dedicated herself toward advancing Republican principles with the local party. It has been an honor to work with them and our state is better off today because of their extraordinary leadership and service.

On a personal note, Jeff and Danae were among my earliest supporters of my first run for the state legislature. Jennifer and I cherish our friendship with both Jeff and Danae and I would like to thank them for their support of my work in Congress. We wish them continued success in all that God has planned for their family.

JIM KENNEDY RETIRES FROM THE
VICTORVILLE CITY COUNCIL

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. COOK. Mr. Speaker, I rise today to recognize the service and commitment of outgoing Victorville City Council Member Jim Kennedy who will leave the dais on Tuesday, December 4, 2018.

Jim was first elected to Victorville City Council in 2010 and has served the city for eight years, including terms as Mayor and Mayor Pro-tem. In addition to his position as council member, Jim has served as a board member of the American Institute of Certified Public Accountants, the Inland Empire Chapter of the California Society of CPAs, the City Audit Committee, and as a delegate to Victor Valley Wastewater Reclamation Authority.

During his time on the council, Jim has been a passionate advocate for Victorville and its residents. He supported key infrastructure projects including the Nisqualli/La Mesa interchange, which provided a key transit corridor to help alleviate traffic congestion. Jim also fought to keep Victorville residents safe, and consistently voted to add additional sheriff's deputies and firefighters to the city's budget.

I thank Council Member Jim Kennedy for his leadership and dedication to public service on behalf of Victorville residents. Jim has been a true model of civility and decorum on the Victorville City Council, and he will be sorely missed.

RECOGNIZING EVAN GWOZDZ

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. KEATING. Mr. Speaker, I rise today in recognition of Evan Gwozdz, a student-athlete from Middleborough, Massachusetts and the National Recipient of the 2017–2018 Student-Athlete Scholarship from the National Interscholastic Athletic Administrators Association.

Each year, the NIAAA awards scholarships to high school student-athletes who exemplify the qualities of scholastic excellence, leadership, and sportsmanship. Without question, Evan was a worthy selection for this prestigious award. An honors student in the classroom, Evan was his class valedictorian, a National Merit Scholar, and a national winner of the Rensselaer Medal for outstanding achievements in math and science. As a high-profile athlete and the top student in his class at Middleborough High School, Evan demonstrates a true commitment to excellence in Massachusetts.

On the field, Evan lettered in football, baseball, and track, garnering numerous awards during his high school career. Evan led his indoor track team in points and was a South Shore League long jump champion; played three years of varsity baseball without ever getting caught stealing; and led Middleborough High School to their first state football championship since 1983 while being named the Boston Globe Division 6 Player of the Year.

A native of Cape Cod, Evan was intrinsically driven at an early age. Starting in third grade, he began a meticulous schedule juggling a multitude of academic, athletic, and extra-curricular commitments. He had never played football before he joined the team in high school, so he took extra time to improve his game—a commitment that has undoubtedly paid off. Evan is currently a quarterback at the Massachusetts Institute of Technology while majoring in chemical engineering, and he also is cross-registered at Harvard and earning a business degree.

Mr. Speaker, I am proud to recognize Evan Gwozdz for his many accomplishments, and I ask that my colleagues join me in congratulating him and wishing him great success in the future. It is truly inspiring to see a such dynamic and passionate person follow their dream, and I know we will see more great things from him in the future.

HONORING GEORGE SMITH ON HIS
50TH ANNIVERSARY WITH THE
LEBANON VOLUNTEER FIRE DEPARTMENT

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. COURTNEY. Mr. Speaker, I rise today in honor of George Smith of Lebanon, CT, who is celebrating his 50th anniversary as a member of the Lebanon Volunteer Fire Department.

George, a native of Rocky Grove, PA, started his vocation as a public servant after graduating from high school in 1954. He enlisted in the U.S. Navy and served in the Korean Conflict, the Cuban Missile Crisis, and the Vietnam Conflict over his 21 years of active military service, reaching the rank of E8 Senior Chief Hospital Corpsman.

George and his family moved to Lebanon, CT in 1966. Following in his first-responder parents' footsteps, he decided to become a firefighter and joined the Lebanon Volunteer Fire Department in May 1968. In 1978, he joined the Lebanon Constabulary and served as a constable for a decade. He also provided emergency medical services and performed firefighting tasks. Over the course of his public service to the town he has also served as Fire Lieutenant, Fire Police Lieutenant, elected department secretary, and currently as Fire Police Captain.

For 50 years, George has been committed to serving Lebanon residents by protecting them, their families, pets, and livestock, as well as lands and properties throughout the town. He holds life member status at the Lebanon Volunteer Fire Department.

Mr. Speaker, I ask my colleagues to please join me in recognizing George Smith's milestone anniversary as well as his remarkable record of service to the town of Lebanon. Volunteering one's life for the protection of others is no small sacrifice, and in this way, Mr. Smith has been exceptionally selfless. Let us all express our gratitude for this fine gentleman.

HONORING BILL AND KAYE
WHITEHEAD

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. MESSER. Mr. Speaker, I rise today, on behalf of the entire 6th Congressional District of Indiana, to recognize Bill and Kaye Whitehead for their contribution to our state and their community.

The Whiteheads have spent their lives serving the Delaware County community. They are full-time farmers but Bill and Kaye spend much of their time serving their community in numerous capacities. Their embodiment of "Hoosier hospitality" has truly made a difference in Delaware County and our state is better off today because of their extraordinary leadership and service.

On a personal note, I've known the Whiteheads for 18 years. Jennifer and I cherish their friendship. Bill, like me, overachieved

in marriage. The Whiteheads were also among my earliest and most vocal supporters.

I am forever grateful to Bill and Kaye for their friendship and support of my work in Congress. I wish them continued success in all that God has planned for their family.

RECOGNIZING JAQUELINE
DOUGLAS, AKA "WACKY JACKY"

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Ms. SPEIER. Mr. Speaker, I rise along with my colleagues, MIKE THOMPSON and JARED HUFFMAN, to honor an American icon, a woman who is one of a kind on the water and on land. Jaqueline Douglas, better known as Wacky Jacky, has been taking people fishing for almost half a century. There is nothing that makes her happier than a happy angler walking off her sportfishing charter boat, the Wacky Jacky, with two big, bright king salmon after a day on the open ocean. Fishing and people are her life.

Jacky was born Jaqueline Detsch on October 3, 1928 in San Francisco. Do the math and you'll realize just one of the reasons that makes her special: at age 90, she is still the captain of her boat. Retirement is something she thinks about occasionally, but as she told San Francisco Chronicle reporter Tom Stienstra at the beginning of this year's salmon season, "If I can't run my boat, you might as well hang me out to dry."

Jacky attended Lincoln High School and studied journalism. Fresh out of high school in 1946, she started to work for a brand-new organization, the San Francisco 49ers. She was the Queen of the 49ers during its inaugural season under general manager Lou Spadia. After that season, Jacky began a modeling career with Alice of California, a San Francisco women's designer. Work had to take a temporary backseat when she met and married George James Douglas XVII at age 19. They soon had four daughters, Diana, Johanna, Lucinda and Roni, and Jacky focused on being a devoted mother and wife. In the mid 50s, it was George who kindled Jacky's passion for fishing. She joined him for one of his many trips on a party boat and thought to herself, "Gee, this is pretty neat; I wonder how we can get our own boat." In 1960, they scraped together enough money to buy a 28-foot double ender in Monterey which was christened the first Wacky Jacky and berthed in a backrow slip at Fisherman's Wharf.

By now, Jacky was thoroughly hooked on fishing. She decided to become a sportfishing charter boat captain—to the shock of the instructors at the Dovi Navigation School. There simply weren't any female captains, but in 1972 she became the first one. License in hand, she purchased a 36-foot boat from her friend Albie Spadaro, the second Wacky Jacky. To this day, she is the only woman skipper in the San Francisco Bay Area fleet. Her third and current Wacky Jacky is a pristine 50-foot Delta she bought in 1976 which is berthed in the number one slot at Jones and Jefferson streets at Fisherman's Wharf.

Making it in this male-dominated world wasn't easy. The petite, 5-foot Captain Jacky Douglas endured plenty of contempt, ridicule,

and cat calls in the beginning of her career, but as time passed, she won people over with her skills, perseverance, warmth and humor. She has taken over 150,000 people fishing and they usually return with fishing limits and great stories to tell. She loves to share what she calls Wacky Jacky's World. "The atmosphere is so heavenly. You just completely don't even think about what's going on in the rest of the world. You are out here trying to catch a fish, enjoy the people. It's a wonderful, wonderful world."

Her skills, advocacy and boundless energy have earned her a long list of awards and nicknames. She was inducted into the California Outdoors Hall of Fame in 2013 for her outstanding work as a salmon boat skipper, naturalist and conservationist. It is worth pointing out that she received a record 40 out of, 41 votes. She has been called the First Lady of Salmon Fishing, and California's No. 1 goodwill ambassador and advocate for salmon, fisheries conservation and water issues. She has represented the Golden Gate Fisherman's Association at state and federal hearings. And she is the public face of salmon fishing having appeared in hundreds of television, radio and print stories.

In 2008, Jacky lost her husband George to cancer. It was only recently that she found new romance which was tragically cut short. Last year, she and long-time family friend and fellow skipper Roger Thomas became a couple. The two resembled a teenage couple head over heels in love. Roger worshipped Jacky. In a horrible twist of fate, Roger was diagnosed with terminal cancer, given just weeks to live. Jacky took care of Roger for six months, making his remaining time the best anyone could make it. Those who knew Roger had never seen him that happy.

I have known Jacky Douglas for eight years and believe that making other people happy is her foremost priority in life. For every holiday, I receive a box of sweets and her famous origami fish in Valentines, Easter, Christmas, or whatever occasion colors with a heartwarming note sending me "Best Fishes." Jacky Douglas has a heart of gold.

Mr. Speaker, I ask the House of Representatives to rise with me to celebrate the 90th birthday of a remarkable woman with a heartfelt "woohoo," one of her favorite expressions of joy, excitement and happiness. May Captain Jacky Douglas, the extraordinary huntress of the sea, continue to bring joy to everyone around her for years to come.

HONORING KELLY HARPER

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in recognizing Kelly Harper, who was just named the District of Columbia's 2019 Teacher of the Year.

Ms. Harper is a third-grade teacher at Amidon-Bowen Elementary School in the District and a native Washingtonian. She has been teaching for seven years. Because of her talent, she also trains other D.C. teachers, and she serves on Amidon-Bowen's Flamboyant Foundation Family Engagement Leadership Team.

Ms. Harper believes that her teaching empowers her students, helping them become visionary leaders for the future who will fight for positive social change.

Ms. Harper's award, which is given annually to a D.C. public school teacher who demonstrates outstanding leadership and commitment to student achievement, also includes a well-deserved \$7,500 prize and \$1,500 to support travel to national conferences.

Mr. Speaker, I ask the House of Representatives to join me in recognizing Kelly Harper for her achievement as the District of Columbia's 2019 Teacher of the Year and for her outstanding work with students in the District of Columbia.

RECOGNIZING THE 100TH BIRTHDAY OF DAVID TYLER CARLETON

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. KEATING. Mr. Speaker, I rise today in recognition of David Tyler Carleton, a resident of Bourne, Massachusetts, who will turn 100 years young on November 27th.

Mr. Carleton has been lucky enough to call Massachusetts his home for much of his life. Born in East Bridgewater, David graduated from Mount Hermon Prep School and then attended college at Syracuse University. Feeling a call to serve his country, he left Syracuse to enlist in the Air Force during World War II. The tenets of brotherhood and service, two values engrained in him during his military experience, have had a profound effect on David's life.

After leaving the service, David met and married Marjorie Neville, and they lived in Brockton, Massachusetts for 55 years. While in Brockton, they volunteered at the Veterans Administration Hospital for 35 years where David never missed assisting during Sunday chapel services. The importance of brotherhood has never left David, and his fellow Masons at the Paul Revere Lodge of Freemasons in Brockton can attest to his over 60 years of activity in that community.

He has passed his commitment to service on to the next generations as well. David is father to one son, grandfather to two, and great-grandfather to four!

Mr. Speaker, I am proud to honor David Tyler Carleton on this joyous occasion of his 100th birthday. I ask that my colleagues join me in wishing him many more years of health and happiness.

HONORING DR. DAVID WELSH

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. MESSER. Mr. Speaker, I rise today, on behalf of the entire 6th Congressional District of Indiana, to recognize Dr. David Welsh for his contribution to our state and his community.

This year, Dr. Welsh was honored for Excellence in State Advocacy for his lifelong commitment to advocating on behalf of patients in

Indiana and his encouragement of other surgeons to engage in advocacy. Our state is better off today because of his extraordinary leadership and service.

On a personal note, the Doc is among my closest friends in politics and was one of my earliest and most vocal supporters. I want to thank him for his friendship and incredible support of my work in Congress. I wish him continued success in all that God has planned for him and his family.

HONORING THE 100 YEAR ANNIVERSARY OF THE AKRON BRASS COMPANY

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. RENACCI. Mr. Speaker, I rise to pay tribute to the Akron Brass Company, an organization formed on December 26, 1918 to produce couplings for the rubber lined fire hose market. Starting in Akron, Ohio, it relocated to Wooster, Ohio in 1920 and by the mid 1920's expanded its product offering to include not only hose couplings and mill supplies, but fire department equipment as well.

Over the past 100 years, the Akron Brass Company has enjoyed a long and storied journey of quality, service, and growth. Their priority has been developing products you trust to protect property and lives. The company has patented hundreds of products over the years and employed generations of hard working employees, with strong values, dedicated to meeting the needs of the fire service. Today, Akron Brass is a customer-driven, global manufacturer of fire fighting and emergency response equipment committed to moving the fire industry forward. Mr. Speaker, it is my honor to recognize an organization that has and continues to develop innovations that increase job safety and efficiency.

RECOGNIZING MR. BRAD GEHRING'S THIRTY-FIVE YEARS OF SERVICE IN LAW ENFORCEMENT

HON. MIKE GALLAGHER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. GALLAGHER. Mr. Speaker, I rise today to recognize Mr. Brad Gehring's thirty-five years of service in law enforcement, including twenty-eight years as Outagamie County Sheriff and the successful legacy he leaves as Outagamie County's top law enforcement officer. Sheriff Gehring's outstanding career consists of many professional accomplishments that reflect the caliber of his leadership and service.

Sheriff Gehring began working for the Outagamie County Sheriff's Department in 1983 as a corrections officer. His work ethic and diligence advanced him from corrections officer to deputy to investigator. In 1990 he was elected Outagamie County Sheriff, just seven years after beginning his career, a true testament to his leadership abilities. From corrections officer to Sheriff, Mr. Gehring has

earned the respect of his peers and community not only in Outagamie County, but across the entire state of Wisconsin. It isn't often that a law enforcement officer serves the same county for nearly four decades.

During Sheriff Gehring's tenure, the county experienced incredible growth and improvements, including the construction of the Outagamie County Justice Center. Sheriff Gehring provided steadfast and unflinching leadership during times of change, while supporting his department and protecting our communities.

Mr. Gehring leaves large shoes to fill in the Sheriff's office, and his legacy and impact will not soon be forgotten. There is no doubt that Sheriff Gehring will be missed by the officers who worked and served with him, the county officials who depended upon him, and the members of the communities he helped keep safe. As Sheriff Gehring steps down to pursue other interests, I have no doubt he will continue to serve as a leader in Outagamie County and beyond.

Mr. Speaker, I urge all members of this body to join me in commending Mr. Gehring for his service as Sheriff and thank him for his long career protecting the great state of Wisconsin.

RECOGNITION OF 100TH ANNIVERSARY OF BETHLEHEM BAPTIST CHURCH

HON. DAVE BRAT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. BRAT. Mr. Speaker, I rise to join the Midlothian community in celebration of the 100th anniversary of Bethlehem Baptist Church. Founded in 1918, Bethlehem Baptist Church remains a pillar in the area and a beacon of light throughout the community in Midlothian, Virginia. Since its inception, Bethlehem Baptist Church has encouraged and empowered individuals with their message of hope, while encouraging the pursuit of opportunity through spiritual growth, education, economic empowerment and development.

On behalf of the Seventh Congressional District of Virginia, I want to extend my congratulations to the church, the congregation, and the surrounding community for preserving one hundred years of faith and tradition.

HONORING BARB HACKMAN

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. MESSER. Mr. Speaker, I rise today, on behalf of the entire 6th Congressional District of Indiana, to recognize Barb Hackman for her contribution to our state and Bartholomew County.

As Chair of the Bartholomew County Republican Party, Barb has given countless hours toward advancing our shared conservative principles. Barb's positive spirit and quick smile have made an incredible difference in Columbus. Our state is better off today because of her extraordinary leadership and service.

On a personal note, Barb is among my closest friends in politics. She is a loyal friend and a wise adviser. I want to thank Barb for her incredible support of my work in Congress. And, I wish her continued success in all that God has planned for her family.

HONORING JOHN TAYLOR, JR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Mr. John Taylor, Jr. for his outstanding service to the City of Jackson.

Mr. John Taylor, Jr., is a native of Jackson, Mississippi. He was raised and nurtured in a Christian home by his parents, John and Letha Taylor.

Taylor accepted his call to the ministry at 16 years of age at New Ebenezer Missionary Baptist Church in Jackson and has continued spreading the Good News of Jesus Christ through his ministry ever since.

In the year of 2001, Taylor graduated from Lanier High School and later studied business administration at Belhaven University from 2007 to 2010.

He is the founder of many initiatives in the Jackson Metro Area: The Frank E. Melton Senior Citizens Thanksgiving Dinner, which caters to over 200 senior citizens annually; the John Jr. Gospel Ministries; the John Taylor-Wood Street Christmas Toy Give Away; and the Annual God Loves You Community Festival in JC Park.

Taylor obtained a magnitude of skills after training with FEMA's Emergency Management Institute and later assisted individuals on the Gulf Coast during Hurricanes Katrina and Rita.

He is an exceptional member of the Jackson Medical Mall Community Advisory Board. Mississippi State's Department of Health certified Taylor as an HIV and STD Prevention Counselor.

Taylor is a contributing member of the following organizations: King Hiram Grand Lodge; First Baptist Church of Jackson, Mississippi; Police Benevolent Association, Inc.; and the Lanier High School National Alumni Association.

Taylor's mission has been to assist others through community service while simultaneously serving as a mentor and role model for all those he encounters. The love of his life, Sherwana Taylor, has been of major support throughout all his endeavors.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. John Taylor, Jr. for his years of dedicated leadership and servanthood to the Jackson community.

CONGRATULATING HÉLÈNE ONSERUD

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Ms. VELÁZQUEZ. Mr. Speaker, today I rise to congratulate Héléne Onserud for her unwavering commitment to the children, teens,

and families of Sunset Park, Brooklyn and her impeccable work at the Center for Family Life over the last 33 years.

Center for Family Life, a program of SCO Family of Services, is a neighborhood-based family and social services organization with deep roots in Sunset Park, Brooklyn. As Program Director, H el ene has helped to enrich the quality of afterschool, evening, and summer programs reaching more than 2,000 Sunset Park community members every single year.

H el ene is a true example of an extraordinary community leader. H el ene started as an art specialist, and through her hard work and tireless dedication, attained her Master's Degree in Social Work, then arose to become multi-site director at the Center for Family Life in Sunset Park.

As multi-site director, H el ene laid the foundation for the new leaders at Public School 503 and Public School 506. Even as she steps back from her role, H el ene's warmth, spirit and contributions will be impactful for years to come. Mr. Speaker, please join me in saluting H el ene Onserud for decades of life changing work.

LINDSAY ADAMS

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. SHIMKUS. Mr. Speaker, I rise to recognize Lindsay Adams for being nominated as a finalist for the Illinois State Board of Education's 2019 Teacher of the Year Award.

Ms. Adams teaches chemistry, physics, forensic, and unified sciences at Gallatin County High School. Last year, Ms. Adams made a documentary about the total solar eclipse that she and her students tracked as it passed over North America, for which she was nominated for a Mid-America Emmy. Her willingness to engage her students exemplifies the qualities of an excellent teacher.

As a former teacher, I understand the important role that teachers play in our community. I am confident that, with educators such as Ms. Adams, our youth are in good hands.

Mr. Speaker, I wish to applaud Ms. Adams' well-deserved nomination for the Illinois State Board of Education's 2019 Teacher of the Year Award and wish her and her students the best in their future endeavors.

HONORING VICTOR WHITEHEAD

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. MESSER. Mr. Speaker, I rise today, on behalf of the entire 6th Congressional District of Indiana, to recognize Victor Whitehead for his contribution to Delaware County, and our state.

Victor is a hard worker and a great advocate as County Chair in Delaware County. Over the years, he has worked tirelessly to advance Republican values and to improve the quality of life for Hoosiers living in the City of Muncie. It has been an honor to work with

him. Our state and Delaware County is better off today because of his extraordinary leadership and service.

On a personal note, Victor has been a loyal friend and wise adviser during my entire tenure in Congress. I would like to thank him for his friendship and support of my work. I wish him continued success in all that God has planned for him and his family.

RECOGNIZING THE 35TH ANNIVERSARY OF THE DALLAS CHAPTER OF THE GIRL FRIENDS, INCORPORATED

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in celebration of the 35th anniversary of the Dallas Chapter of the Girl Friends, Incorporated. On September 12, 1975, I invited a few close friends with similar ideas and dreams to my home to discuss how we could make an impact on the Dallas community.

As we began to meet and brainstorm, the St. Louis Chapter of Girl Friends took us under their wing and encouraged us to create our own chapter.

The Charter members of the Dallas Chapter of the Girl Friends include Velma Bedford, Dorothy Chambers, Jennifer Clark, Doloroes Craig, Earlene Deere, Roslyn Fitch, Joan Sessoms Ford, Veronica Marshall Frazier, Honorable EDDIE BERNICE JOHNSON, Marvinell Johnson, Cheryl Malone, Dr. Vivienne Malone Mayes, Millie Montgomery, Hazel Moore, Faye Powell, Sandra Sutton, Mary Lois Sweatt, Marye Thomas, Mildred W. Thomas, and Marquerite Williams.

The chapter upholds the ideal that education is important and since its inception, has regularly supported female college students with scholarship funds that can be used for books, transportation and other personal needs. Our most recent scholarship recipient, and HBCU student, was also awarded an academic scholarship from The Girl Friends Fund, Inc.

The chapter has supported the NAACP project, Black Arts and History, African American Museum, Black Dallas Remembered, YWCA, Aging for Black Women's Conference Politics and Health Symposiums, Austin Street Shelter Ministries, Vogel Alcove, The Family Place, Letot Girl's Residential Center, The Agape Clinic, The Dallas Life Foundation and West Dallas Community Center.

As I reflect on the great milestones and paths that The Girl Friends have created within the past thirty-five years, I am honored and proud of all we have accomplished and the positive impact it has had on our community. It is with great admiration that I congratulate The Dallas Chapter of the Girl Friends on achieving this wonderful milestone, and wish them the best on all future endeavors.

TRIBUTE TO ALESSIO "AL" GIZZI

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. ROKITA. Mr. Speaker, I rise today to honor the life of Alessio "Al" Gizzi. Al passed away on November 25 from natural causes at the age of 97.

Born in Waterbury, Connecticut, Al lived nearly his entire life in Connecticut. As a part of the "Greatest Generation", he enlisted in the Marine Corps and fought during World War Two. Eventually rising to the rank of Sergeant, he saw action in the Pacific, and served until the war's end.

After his discharge, Al moved back to the Hartford, Connecticut area, joining the Teamsters Union and working as a deliveryman and route salesman for Mother's Pies and later for Table Talk Pies. He retired in 1983, but never one to enjoy the idleness of retirement, he rejoined the workforce and spent seven years at the Cigna Insurance Company in Bloomfield.

It was after his discharge that he married Roslyn Ann Guglielmetti, his wife of sixty-nine years. They were together until her death in 2014. They had one son, John. Al also leaves behind a sister, Mary, two nieces, a nephew, and two grand-nephews.

I knew Al through his son John. John, currently the White House reporter for Newsmax, is a master of politics, wit, and wisdom. He is a friend and quite literally my mentor. My first paid job in Washington, D.C. was that of his intern at the Human Events newspaper. John has been a fixture at White House press conferences and events, and is respected by everyone who has worked with him. I know Al counts John as one of his life's best accomplishments.

John's incredible strength will get him through this difficult time, and I ask everyone to keep John and his family in your thoughts and prayers.

HONORING LIEUTENANT COMMANDER VICTORIA MARUM'S 11 YEARS OF SERVICE TO HER COUNTRY AND HER HONORABLE RETIREMENT FROM THE UNITED STATES NAVY

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to recognize and congratulate Lieutenant Commander Victoria Marum on her separation from the United States Navy after 11 years of faithful service to our country.

An esteemed member of the United States Navy, Lieutenant Commander Marum most recently served as a Liaison in the Navy's U.S. House of Representatives Liaison Office. In this capacity, she oversaw and led countless Congressional and staff delegations to naval installations throughout the United States and the world. These trips greatly helped members and their staffs achieve a greater understanding of the issues facing our Navy and its Sailors from all over the world.

I was so grateful for Lieutenant Commander Marum's guidance during delegations that I

led abroad, as she always handled stressful situations and difficult individuals with poise, humor, and resourcefulness. The talent she exhibited on Capitol Hill will serve her well on every path she finds herself in the future.

LCDR Marum attended the University of Florida and was commissioned as an Ensign in the United States Navy in 2007. She would later go on to earn her "wings of gold" and qualify as a Naval Aviator in 2009. Following her winging, LCDR Marum reported to Helicopter Maritime Strike Squadron 70 where she served from 2010 to 2013. LCDR Marum's awards and decorations include the Navy and Marine Corps Achievement Medal and other personal, campaign, and service ribbons.

As LCDR Marum embarks on a new chapter in life, it is my hope that she may recall, with a deep sense of pride and accomplishment, the outstanding contributions she has made to the United States Navy, Congress, and our great nation.

I wish her the very best and continued success in her future endeavors.

COMMENDING MATTHEW PARIS
FOR WINNING THE CONGRES-
SIONAL APP CHALLENGE

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. BUCK. Mr. Speaker, I rise today to commend and congratulate Matthew Paris, a student at Eaton High School, for winning the Congressional App Challenge in Colorado's 4th Congressional District.

His app, "Home Safe," helps users stay safe by offering a way out of problematic situations. I'm thankful for his desire to build an app that serves our community by improving public safety.

Matthew's investment in Science, Technology, Engineering, and Math (STEM) skills will pay off not only for his own future but for the future of our nation as well. Tomorrow's

innovators and problem-solvers will be the students of today who are investing in the skill sets of the future.

I congratulate Matthew again and wish him the best as he continues his education.

TRIBUTE TO JOHN WESLEY
LAINHART IV

HON. GREGG HARPER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. HARPER. Mr. Speaker, I rise today to honor the life and service of John Wesley Lainhart IV, the first Inspector General of the U.S. House of Representatives, who died Tuesday, September 25, 2018. Mr. Lainhart was appointed as the Inspector General on November 14, 1993, and was reappointed for the One Hundred Fourth Congress and the One Hundred Fifth Congress. Jointly appointed by the Speaker, Majority Leader, and Minority Leader, Mr. Lainhart was responsible for conducting periodic audits of the financial and administrative functions of the House. He retired from Federal service on April 1, 1999.

John is remembered for his commitment to excellence in serving the House of Representatives. Among his many accomplishments, John's leadership was instrumental in overseeing the first comprehensive financial audit of the House. His generosity in sharing knowledge and expertise with others and dedication to this institution continue to inspire many today.

Mr. Speaker, please join me in honoring the life and memory of John Wesley Lainhart IV.

TRIBUTE TO NANCY BENNETT

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2018

Mr. ROKITA. Mr. Speaker, I rise today to honor Nancy Bennett, who recently passed

away. Nancy was a beloved member of the Hendricks County, Indiana community. Nancy loved music and dedicated her life to teaching. She taught for 38 years, filling the lives of thousands of students with a love and passion for music.

Nancy taught English and music for the Anderson Public School System, she also taught at Indianapolis Public School, and at Ben Davis High School in Indianapolis. Nancy finished her teaching career at Brentwood Elementary School, in Plainfield, Indiana, teaching music to Kindergarten through 6th Grade students.

Nancy was very involved at the Plainfield Christian Church where she directed both the Choir and the Hand Bell Choir for eight years. She also shared her passion for music with the community by leading the Hendricks Country Chapter of the Purdue Women's Glee Club.

More than music, Nancy loved her family. While attending Anderson College to receive her Bachelor of Arts Degree in Music Education, she met her husband, Alfred. They were married for sixty-one amazing years, and had four incredible children, Wesley, Lisa, Doug, and Beckie. Nancy was an amazing grandmother and great-grandmother to her ten grandchildren and five great-grandchildren.

On a personal level, I knew Nancy for many years. Nancy was always the person who waited for me in the back of the room after I finished speaking. On the way out, she would always give me her thoughts, feedback, and motherly scolding if I needed it! She did the same for many. Her husband Al, another long-time friend of mine, was always with her. He will have the most difficult time with all of this. I ask the Hendricks County community to come around Al, their son and friend of mine Wes Bennett, and the whole Bennett family at this time.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S7103–S7146

Measures Introduced: Eight bills and three resolutions were introduced, as follows: S. 7–10, 3658–3661, and S. Res. 707–709. **Pages S7132–33**

Measures Reported:

S. 793, to prohibit sale of shark fins, with an amendment in the nature of a substitute. (S. Rept. No. 115–388)

S. 3143, to provide for a coordinated Federal program to accelerate quantum research and development for the economic and national security of the United States, with an amendment in the nature of a substitute. (S. Rept. No. 115–389)

S. 3367, to amend certain transportation-related reporting requirements to improve congressional oversight, reduce reporting burdens, and promote transparency, with an amendment in the nature of a substitute. (S. Rept. No. 115–390)

H.R. 3279, 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. Rept. No. 115–391) **Pages S7131–32**

Measures Passed:

Remove the Prohibition on Certain Alcohol Manufacturing: Senate passed H.R. 5317, to repeal section 2141 of the Revised Statutes to remove the prohibition on certain alcohol manufacturing on Indian lands. **Page S7141**

Sac and Fox Indian Reservation: Committee on Indian Affairs was discharged from further consideration of H.R. 1074, to repeal the Act entitled “An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation”, and the bill was then passed. **Page S7141**

Ray Hendrix Department of Veterans Affairs Clinic: Committee on Veterans’ Affairs was discharged from further consideration of H.R. 3946, to name the Department of Veterans Affairs community-based outpatient clinic in Statesboro, Georgia, the Ray Hendrix Department of Veterans Affairs

Clinic, and the bill was then passed, after agreeing to the following amendments proposed thereto:

Page S7141

McConnell (for Isakson) Amendment No. 4063, in the nature of a substitute. **Page S7141**

McConnell (for Isakson) Amendment No. 4064, to amend the title. **Page S7141**

National Principals Month: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. Res. 674, recognizing the month of October 2018 as “National Principals Month”, and the resolution was then agreed to. **Page S7141**

25th Anniversary of the National Guard Youth Challenge Program: Committee on Armed Services was discharged from further consideration of S. Res. 424, honoring the 25th anniversary of the National Guard Youth Challenge Program, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Page S7142**

McConnell (for Baldwin) Amendment No. 4065, to amend the preamble. **Page S7142**

75th Anniversary of World War II: Senate passed S. 3661, to provide for a program of the Department of Defense to commemorate the 75th anniversary of World War II. **Pages S7142–43**

Nicaraguan Investment Conditionality Act (NICA): Committee on Foreign Relations was discharged from further consideration of H.R. 1918, to oppose loans at international financial institutions for the Government of Nicaragua unless the Government of Nicaragua is taking effective steps to hold free, fair, and transparent elections, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Pages S7143–44**

McConnell (for Menendez) Amendment No. 4066, in the nature of a substitute. **Pages S7143–44**

House Messages:

Jamestown Reservoir: Senate concurred in the amendment of the House to S. 2074, to establish a procedure for the conveyance of certain Federal property around the Jamestown Reservoir in the State of North Dakota. **Page S7141**

Dickinson Reservoir: Senate concurred in the amendment of the House to S. 440, to establish a procedure for the conveyance of certain Federal property around the Dickinson Reservoir in the State of North Dakota. **Page S7141**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the issuance of an Executive Order declaring a national emergency related to the situation in Nicaragua; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM—48) **Page S7131**

Kelley Nomination-Agreement: Senate resumed consideration of the nomination of Karen Dunn Kelley, of Pennsylvania, to be Deputy Secretary of Commerce. **Pages S7112, S7146**

During consideration of this nomination today, Senate also took the following action:

By 62 yeas to 37 nays (Vote No. EX. 247), Senate agreed to the motion to close further debate on the nomination. **Page S7112**

A unanimous-consent agreement was reached providing that notwithstanding Rule XXII, the post-cloture time on the nomination expire at 12:15 p.m., on Wednesday, November 28, 2018. **Pages S7144–45**

A unanimous-consent agreement was reached providing for further consideration of the nomination, post-cloture, at approximately 9:30 a.m., on Wednesday, November 28, 2018, with the time until 11 a.m. equally divided between the two Leaders, or their designees; and that Senate recess from 11 a.m. until 12 noon. **Page S7145**

Nomination Confirmed: Senate confirmed the following nomination:

By 53 yeas to 46 nays (Vote No. EX. 246), Stephen Alexander Vaden, of Tennessee, to be General Counsel of the Department of Agriculture. **Pages S7103–12**

Messages from the House: **Page S7131**

Enrolled Bills Presented: **Page S7131**

Executive Reports of Committees: **Page S7132**

Additional Cosponsors: **Pages S7133–34**

Statements on Introduced Bills/Resolutions: **Pages S7134–38**

Additional Statements: **Pages S7130–31**

Amendments Submitted: **Pages S7138–40**

Authorities for Committees to Meet: **Pages S7140–41**

Record Votes: Two record votes were taken today. (Total—247) **Pages S7111–12**

Adjournment: Senate convened at 10:00 a.m. and adjourned at 6:51 p.m., until 9:30 a.m. on Wednesday, November 28, 2018. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S7145.)

Committee Meetings

(Committees not listed did not meet)

COMMISSION ON THE NATIONAL DEFENSE STRATEGY

Committee on Armed Services: Committee concluded a hearing to examine the findings and recommendations of the Commission on the National Defense Strategy, after receiving testimony from Eric S. Edelman, and Admiral Gary Roughhead, USN (Ret.), both Co-Chair, Commission on the National Defense Strategy, Department of Defense.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported 1,592 nominations in the Army, Navy, Air Force, and Marine Corps.

NAVY SHIPBUILDING PROGRAMS

Committee on Armed Services: Subcommittee on SeaPower concluded a hearing to examine Navy shipbuilding programs, after receiving testimony from James F. Geurts, Assistant Secretary of the Navy for Research, Development, and Acquisition, Vice Admiral William R. Merz, USN, Deputy Chief of Naval Operations for Warfare Systems (OPNAV N9), and Lieutenant General David H. Berger, USMC, Commanding General, Marine Corps Combat Development Command, and Deputy Commandant for Combat Development and Integration, all of the Department of Defense.

FTC OVERSIGHT

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security concluded an oversight hearing to examine the Federal Trade Commission, after receiving testimony from Joseph J. Simons, Chairman, and Rohit Chopra, Noah Joshua Phillips, Rebecca Kelly Slaughter, and Christine S. Wilson, each a Commissioner, all of Federal Trade Commission.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the nominations of Rita Baranwal, of Pennsylvania, to be an Assistant Secretary of Energy (Nuclear Energy), Bernard L.

McNamee, of Virginia, to be a Member of the Federal Energy Regulatory Commission, and Raymond David Vela, of Texas, to be Director of the National Park Service, Department of the Interior.

MULTILATERAL ECONOMIC INSTITUTIONS

Committee on Foreign Relations: Subcommittee on Multilateral International Development, Multilateral Institutions, and International Economic, Energy, and Environmental Policy concluded a hearing to examine multilateral economic institutions and United States foreign policy, after receiving testimony from David Malpass, Under Secretary of the Treasury for International Affairs; Roland de Marcellus, Acting Deputy Assistant Secretary of State for International

Finance and Development, Bureau of Economic and Business Affairs; Clay Lowery, Rock Creek Global Advisors LLC, Arlington, Virginia; Scott A. Morris, Center for Global Development, Bethesda, Maryland; and Jennifer Hillman, Georgetown University Law Center, Thea Mei Lee, Economic Policy Institute, and Stephanie Segal, Center for Strategic and International Studies, all of Washington, D.C.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 10 public bills, H.R. 7169–7178; and 1 resolution, H. Res. 1159 were introduced. **Page H9667**

Additional Cosponsors: **Page H9668**

Reports Filed: Reports were filed today as follows:

H.R. 2846, to require the collection of voluntary feedback on services provided by agencies, and for other purposes, with amendments (H. Rept. 115–1043);

H.R. 3121, to require the purchase of domestically made flags of the United States of America for use by the Federal Government, with an amendment (H. Rept. 115–1044);

H.R. 3154, to amend the Inspector General Act of 1978 relative to the powers of the Department of Justice Inspector General (H. Rept. 115–1045);

H.R. 6777, to amend chapter 3 of title 5, United States Code, to require the publication of settlement agreements, and for other purposes (H. Rept. 115–1046);

H.R. 3588, to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide for management of red snapper in the Gulf of Mexico, and for other purposes (H. Rept. 115–1047);

H.R. 3608, to amend the Endangered Species Act of 1973 to require publication on the Internet of the basis for determinations that species are endangered species or threatened species, and for other purposes (H. Rept. 115–1048);

H.R. 4731, to extend the retained use estate for the Caneel Bay resort in St. John, United States Vir-

gin Islands, and for other purposes, with an amendment (H. Rept. 115–1049);

H.R. 6346, to amend the Endangered Species Act of 1973 to provide for consideration of the totality of conservation measures in determining the impact of proposed Federal agency action (H. Rept. 115–1050);

H.R. 6345, to provide for greater county and State consultation with regard to petitions under the Endangered Species Act of 1973, and for other purposes (H. Rept. 115–1051);

H.R. 6365, to establish the Treaty of Guadalupe Hidalgo Land Grant-Merced Claims Commission and other Federal policies for the restoration of land for hardships resulting from the incomplete and inequitable implementation of the Treaty of Guadalupe Hidalgo, to affirm Land Grant-Merced property rights protected by the Treaty of Guadalupe Hidalgo, and for other purposes, with an amendment (H. Rept. 115–1052); and

H.R. 6678, to direct the Secretary of the Interior to convey certain National Park Service land in Fairfax County, Virginia, to the Friends of the Claude Moore Farm (H. Rept. 115–1053). **Pages H9666–67**

Speaker: Read a letter from the Speaker wherein he appointed Representative Mitchell to act as Speaker pro tempore for today. **Page H9577**

Recess: The House recessed at 12:18 p.m. and reconvened at 2 p.m. **Page H9579**

Journal: The House agreed to the Speaker's approval of the Journal by voice vote. **Pages H9579, H9657**

Recess: The House recessed at 2:07 p.m. and reconvened at 4:10 p.m. **Page H9580**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Women in Aerospace Education Act: Concur in the Senate amendment to H.R. 4254, 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; **Pages H9580–81**

National Earthquake Hazards Reduction Program Reauthorization Act: S. 1768, to reauthorize and amend the National Earthquake Hazards Reduction Program; **Pages H9581–86**

Global Fragility and Violence Reduction Act of 2018: H.R. 5273, amended, to reduce global fragility and violence by improving the capacity of the United States to reduce and address the causes of violence, violent conflict, and fragility in pilot countries, by a $\frac{2}{3}$ yeas-and-nays vote of 376 yeas to 16 nays, Roll No. 421; **Pages H9587–91, H9653–54**

Amend the title so as to read: “To reduce global fragility and violence by improving the capacity of the United States to reduce and address the causes of violence, violent conflict, and fragility, and for other purposes.” **Page H9654**

United States-Mexico Economic Partnership Act: H.R. 1567, amended, to promote economic partnership and cooperation between the United States and Mexico; **Pages H9591–93**

Preventing Iranian Destabilization of Iraq Act: H.R. 4591, amended, to impose sanctions with respect to Iranian persons that threaten the peace or stability of Iraq or the Government of Iraq; **Pages H9593–97**

Democratic Republic of the Congo Democracy and Accountability Act of 2018: H.R. 6207, amended, to support democracy and accountability in the Democratic Republic of the Congo, by a $\frac{2}{3}$ yeas-and-nays vote of 374 yeas to 11 nays, Roll No. 422; **Pages H9597–H9600, H9654–55**

Iraq and Syria Genocide Emergency Relief and Accountability Act: Concur in the Senate amendments to H.R. 390, to provide emergency relief for victims of genocide, crimes against humanity, and war crimes in Iraq and Syria, for accountability for perpetrators of these crimes; and **Pages H9600–04**

Amending the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund: Concur in the Senate amendment to the House amendment to S. 140, to amend the White Mountain Apache Tribe Water Rights Quantifica-

tion Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund. **Pages H9604–52**

Redesignating a facility of the National Aeronautics and Space Administration: The House agreed to discharge from committee and pass S. 3389, to redesignate a facility of the National Aeronautics and Space Administration. **Page H9586**

Oath of Office—Fifteenth Congressional District of Pennsylvania: Representative-elect Susan Wild presented herself in the well of the House and was administered the Oath of Office by the Speaker. Earlier, the Clerk of the House transmitted a facsimile copy of a letter received from Mr. Jonathan Marks, Commissioner, Bureau Commissions, Elections and Legislation, Department of State, Commonwealth of Pennsylvania, indicating that, according to the preliminary results of the Special Election held November 6, 2018, the Honorable Susan Wild was elected Representative to Congress for the Fifteenth Congressional District, Commonwealth of Pennsylvania. **Page H9654**

Whole Number of the House: The Speaker announced to the House that, in light of the administration of the oath to the gentlewoman from Pennsylvania, the whole number of the House is 432. **Page H9654**

Meeting Hour: Agreed by unanimous consent that the order of the House of January 8, 2018, regarding morning-hour debate not apply tomorrow. **Page H9655**

Order of Business—Suspensions: Agreed by unanimous consent that it be in order at any time on the legislative day of November 29, 2018, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule 15. **Page H9655**

Correcting the enrollment of S. 140: The House agreed to take from the Speaker’s table and agree to S. Con. Res. 51, to correct the enrollment of S. 140. **Page H9655**

Restore the Harmony Way Bridge Act: The House agreed to discharge from committee and pass H.R. 6793, to transfer a bridge over the Wabash River to the States of Illinois and Indiana, as amended by Representative Mast. **Pages H9655–56**

Designating the Federal building located at 2110 First Street in Fort Myers, Florida, as the “George W. Whitehurst Federal Building”: The House agreed to take from the Speaker’s table and pass H.R. 6622, to designate the Federal building located at 2110 First Street in Fort Myers, Florida, as the “George W. Whitehurst Federal Building”, as amended by Representative Mast. **Page H9656**

Agreed to amend the title so as to read: “To designate the Federal building located at 2110 First Street in Fort Myers, Florida, as the ‘George W. Whitehurst Federal Building and United States Courthouse’.”

Page H9656

Amending the Federal Election Campaign Act of 1971 to extend through 2023 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission: The House agreed to discharge from committee and pass H.R. 7120, to amend the Federal Election Campaign Act of 1971 to extend through 2023 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission.

Page H9656

Designating the outstation of the Department of Veterans Affairs in North Ogden, Utah, as the Major Brent Taylor Vet Center Outstation: The House agreed to discharge from committee and pass H.R. 7163, to designate the outstation of the Department of Veterans Affairs in North Ogden, Utah, as the Major Brent Taylor Vet Center Outstation.

Pages H9656–57

Presidential Message: Read a message from the President wherein he notified Congress that he had issued an Executive Order declaring a national emergency with respect to the threat posed by the situation in Nicaragua—referred to the Committee on Foreign Affairs and the Committee on the Judiciary and ordered to be printed (H. Doc. 115–173).

Pages H9652–53

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H9653–54 and H9655. There were no quorum calls.

Adjournment: The House met at 12 noon and adjourned at 8:51 p.m.

Committee Meetings

No hearings were held.

Joint Meetings

BUDGET AND APPROPRIATIONS PROCESS REFORM

Joint Select Committee on Budget and Appropriations Process Reform: Committee continued a markup of the Committee’s report, recommendations, and legislative language, but did not complete action thereon, and will meet again on Thursday, November 29, 2018.

COMMITTEE MEETINGS FOR WEDNESDAY, NOVEMBER 28, 2018

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine the nominations of Mindy Brashears, of Texas, to be Under Secretary for Food Safety, Naomi C. Earp, of Maryland, to be an Assistant Secretary, and Scott Hutchins, of Indiana, to be Under Secretary for Research, Education, and Economics, all of the Department of Agriculture, 9:30 a.m., SR–328A.

Committee on Armed Services: Subcommittee on Cybersecurity, to hold closed hearings to examine Cyber Command’s relationship with the National Security Agency, 2:30 p.m., SVC–217.

Committee on Environment and Public Works: to hold hearings to examine addressing America’s surface transportation infrastructure needs, 9:30 a.m., SD–406.

Committee on Foreign Relations: to hold hearings to examine the global fight to end modern slavery, 9:30 a.m., SD–419.

Full Committee, business meeting to consider S. 3247, to improve programs and activities relating to women’s entrepreneurship and economic empowerment that are carried out by the United States Agency for International Development, S. 3654, to amend the United States International Broadcasting Act of 1994, to avoid the duplication of public diplomacy programs and efforts, to improve the research and evaluation of public diplomacy, S. Res. 562, expressing the sense of the Senate that the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) continues to make an invaluable contribution to United States and international security, 50 years after it opened for signature on July 1, 1968, H.R. 1872, to promote access for United States diplomats and other officials, journalists, and other citizens to Tibetan areas of the People’s Republic of China, H.R. 4819, to promote inclusive economic growth through conservation and biodiversity programs that facilitate transboundary cooperation, improve natural resource management, and build local capacity to protect and preserve threatened wildlife species in the greater Okavango River Basin of southern Africa, H.R. 2646, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, H.R. 4989, to require the Department of State to establish a policy regarding the use of location-tracking consumer devices by employees at diplomatic and consular facilities, and the nominations of Michael T. Harvey, of Texas, to be an Assistant Administrator of the United States Agency for International Development, and Donald Armin Blome, of Illinois, to be Ambassador to the Republic of Tunisia, Craig Lewis Cloud, of Florida, to be Ambassador to the Republic of Botswana, Judith Gail Garber, of Virginia, to be Ambassador to the Republic of Cyprus, Jeffrey Ross Gunter, of California, to be Ambassador to the Republic of Iceland, Dennis B. Hankins, of Minnesota, to be Ambassador to the Republic of Mali, Dennis Walter Hearne, of Virginia, to be Ambassador to the Republic of Mozambique, Simon Henshaw, of Massachusetts, to be Ambassador to the Republic of Guinea, Earle D. Litzenger,

of California, to be Ambassador to the Republic of Azerbaijan, Eric George Nelson, of Texas, to be Ambassador to Bosnia and Herzegovina, Michael Peter Pelletier, of Maine, to be Ambassador to the Republic of Madagascar, and to serve concurrently and without additional compensation as Ambassador to the Union of the Comoros, John Mark Pommersheim, of Florida, to be Ambassador to the Republic of Tajikistan, Robert K. Scott, of Maryland, to be Ambassador to the Republic of Malawi, Eric Williams Stromayer, of Virginia, to be Ambassador to the Togolese Republic, Lucy Tamlyn, of New York, to be Ambassador to Central African Republic, and routine lists in the Foreign Service, all of the Department of State, 2 p.m., S-116, Capitol.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine reducing health care costs, focusing on improving affordability through innovation, 9:30 a.m., SD-430.

Committee on Homeland Security and Governmental Affairs: business meeting to consider the nominations of Ronald D. Vitiello, of Illinois, to be an Assistant Secretary of Homeland Security, Richard S. Tischner, of Virginia, to be Director of the Court Services and Offender Supervision Agency for the District of Columbia, and Dennis Dean Kirk, of Virginia, to be Chairman, and Julia Akins Clark, of Maryland, and Andrew F. Manuz, both to be a Member, all of the Merit Systems Protection Board, 10 a.m., SD-342.

Committee on Indian Affairs: business meeting to consider S. 2788, to repeal the Act entitled “An Act to confer jurisdiction on the State of North Dakota over offenses committed by or against Indians on the Devils Lake Indian Reservation”, S. Res. 444, recognizing the heritage, culture, and contributions of American Indian, Alaska Native, and Native Hawaiian women in the United States, S. Res. 596, recognizing the 29th anniversary of the Tribal Canoe Journey of the Tribal Nations of the Pacific Northwest and congratulating the Puyallup Tribe of Indians for hosting the 2018 Power Paddle to Puyallup,

H.R. 2606, to amend the Act of August 4, 1947 (commonly known as the Stigler Act), with respect to restrictions applicable to Indians of the Five Civilized Tribes of Oklahoma, and H.R. 4032, to confirm undocumented Federal rights-of-way or easements on the Gila River Indian Reservation, clarify the northern boundary of the Gila River Indian Community’s Reservation, to take certain land located in Maricopa County and Pinal County, Arizona, into trust for the benefit of the Gila River Indian Community, 2:30 p.m., SD-628.

Committee on the Judiciary: to hold hearings to examine the nominations of Brian C. Buescher, to be United States District Judge for the District of Nebraska, Clifton L. Corker, to be United States District Judge for the Eastern District of Tennessee, M. Miller Baker, of Virginia, and Timothy M. Reif, of the District of Columbia, both to be a Judge of the United States Court of International Trade, and Donald W. Washington, of Texas, to be Director of the United States Marshals Service, Department of Justice, 10 a.m., SD-226.

Committee on Rules and Administration: to hold hearings to examine the nominations of Donald L. Palmer, of Florida, and Benjamin Hovland, of Maryland, both to be a Member of the Election Assistance Commission, 2:30 p.m., SR-301.

Special Committee on Aging: to hold hearings to examine strengthening state efforts to overhaul the guardianship process and protect older Americans, 2:30 p.m., SD-562.

House

Committee on Rules, Full Committee, hearing on the Senate amendment to H.R. 88, the “Shiloh National Military Park Boundary Adjustment and Parker’s Crossroads Battlefield Designation Act”, 3 p.m., H-313 Capitol.

Committee on Oversight and Government Reform, November 28, Full Committee, hearing entitled “BOP Management of its Female Inmate Population, and Other Challenges”, 12 p.m., 2154 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Wednesday, November 28

Next Meeting of the HOUSE OF REPRESENTATIVES

12 noon, Wednesday, November 28

Senate Chamber

Program for Wednesday: Senate will continue consideration of the nomination of Karen Dunn Kelley, of Pennsylvania, to be Deputy Secretary of Commerce, post-cloture, and vote on confirmation of the nomination at 12:15 p.m.

Following disposition of the nomination of Karen Dunn Kelley, Senate will vote on the motion to invoke cloture on the nomination of Thomas Alvin Farr, to be United States District Judge for the Eastern District of North Carolina.

(Senate will recess from 11 a.m. until 12 noon.)

House Chamber

Program for Wednesday: Consideration of measures under suspension of the Rules.

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